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General Assembly
Fifty-seventh session
Agenda items 66 (s) and (v), 68 (d), 101 and 160

General and complete disarmament: nuclear disarmament; the illicit trade in small arms and light weapons in all its aspects

Review of the implementation of the recommendations and decisions adopted by the General Assembly at its tenth special session: report of the Conference on Disarmament

International drug control

Measures to eliminate international terrorism

Security Council
Fifty-seventh year

Letter dated 20 September 2002 from the Permanent Representative of Kazakhstan to the United Nations addressed to the Secretary-General

I have the honour to forward to you the Almaty Act, signed by the Heads of State or Government of the member States of the Conference on Interaction and Confidence-building Measures in Asia in Almaty, on 4 June 2002 (see annex).

I would be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda items 66 (s) and (v), 68 (d), 101 and 160, and of the Security Council.

(*Signed*) Madina B. **Jarbussynova**

02-60354 (E) 300902

Annex to the letter dated 20 September 2002 from the Permanent Representative of Kazakhstan to the United Nations addressed to the Secretary-General

[Original: English and Russian]

Almaty Act

Preamble

We, the Heads of State or Government of the Member States of the Conference on Interaction and Confidence Building Measures in Asia (CICA),

Having met in Almaty at a time of profound changes which are taking place in Asia and the world to set up our vision of security in Asia and enhance our capabilities for co-operation on issues of common concern for our peoples;

Recognising the close link between peace, security and stability in Asia and in the rest of the world;

Committing ourselves to working to ensure peace and security in Asia and making it a region open to dialogue and co-operation;

Believing that the CICA process presents new opportunities for co-operation, peace and security in Asia;

Declaring our determination to form in Asia a common and indivisible area of security, where all states peacefully co-exist, and their peoples live in conditions of peace, freedom and prosperity, and confident that peace, security and development complement, sustain and reinforce each other;

Reaffirming our commitment to the UN Charter, as well as to the Declaration on the Principles Guiding Relations Among CICA Member States, which is an integral part of the Almaty Act, as the basis for our future co-operation;

Considering that all aspects of comprehensive security in Asia, including its political and military aspects, confidence-building measures, economic and environmental issues, humanitarian and cultural co-operation, are interdependent and interrelated and should be pursued actively;

Confident that full, equal and comprehensive implementation and observance of the principles, provisions and commitments enshrined in the Almaty Act will create the conditions for advanced co-operation among the CICA Member States and will guide us towards a better future, which our peoples deserve;

Have adopted the following:

I. Security and co-operation

1. The main objective and thrust of the CICA will be to enhance co-operation through elaborating multilateral approaches towards promoting peace, security and stability in Asia.

2. In order to achieve this objective, the Member States will take the necessary steps to develop the CICA as a forum for dialogue, consultations and adoption of decisions and measures on the basis of consensus on security issues in Asia.

3. We call upon and continue to encourage all Member States who are parties to a dispute to settle this peacefully in conformity with the principles envisaged in the UN Charter.

4. Recognising the contribution which increased trade and economic co-operation can make for the prosperity and stability in Asia and to the well-being of their peoples, we will make further efforts to promote initiatives in these fields, as mentioned in the Declaration on the Principles Guiding Relations among the CICA Member States. We also recognise the need for better co-operation on all issues which constitute risks to the environment.

5. The Member States reiterate their belief that protection of human rights and fundamental freedoms in accordance with the UN Charter and the international conventions and instruments to which they are parties contributes to the consolidation of peace, security and stability in Asia. They also declare their readiness to further their co-operation in this field in a spirit of friendliness.

6. We consider that humanitarian issues, such as natural disasters and refugee flows, are areas of common concern since they also affect stability and security in the region. The Member States are resolved to developing measures, where necessary, to address these issues through co-operation in the region as well as with the UN and other relevant international organisations.

7. We believe that enhancing mutual respect, mutual understanding and tolerance in the relations among civilisations is an important goal for our times. Noting with satisfaction the designation of the first year of the millennium as the year of Dialogue among Civilisations, we shall encourage and strengthen this process.

8. We consider globalisation as a challenge of our time. While it could offer certain opportunities for growth and development, at present the benefits of globalisation are unevenly shared among the nations and much remains to be done to ensure that its benefits be comprehensively and equitably distributed at the global level.

9. Joint actions and co-ordinated responses are necessary to deal with challenges and threats that our states and peoples are faced with.

II. Challenges to security

10. The Member States seek to promote regional and international security and stability, which will also contribute to peaceful settlement of existing and prevention of the emergence of new crisis situations and disputes.

11. The continuing existence and proliferation in all its aspects of nuclear weapons, as well as chemical and biological weapons, pose a great threat to all humanity. The Member States pledge to support the efforts for the global elimination of all weapons of mass destruction (WMD) and therefore they commit themselves to an increased co-operation for the prevention of proliferation of all such weapons, including nuclear weapons, which constitute a particular danger to international peace and security.

12. With the end of the Cold War, the opportunity now exists for the international community to pursue nuclear disarmament as a matter of the highest priority. We shall encourage all nations to keep all options open for achieving this aim, including the possibilities of convening an international conference to identify ways of eliminating nuclear dangers and negotiating a comprehensive and verifiable nuclear weapons convention. We affirm the importance of the early realisation of the universal adherence to the multilaterally negotiated instruments on the elimination of WMD, and urge those states not yet party to these instruments to accede to them as soon as possible.

13. We support the establishment of zones free from nuclear weapons and other WMD in Asia on the basis of arrangements freely arrived at among the states of the region concerned. The establishment of such zones in regions for which consensus resolutions of the UN General Assembly exist, such as the Middle East and Central Asia, should be encouraged; in this context, we invite adherence to internationally negotiated disarmament and non-proliferation instruments in accordance with all the provisions of the relevant consensus resolutions of the UN and the positions of states concerned on the implementation of these resolutions.

14. The Member States reaffirm their belief in the need of ensuring security at the lowest level of armament and military forces. We recognise the necessity to curb excessive and destabilising accumulation of conventional armaments. We emphasise the importance of the maintenance of the international strategic stability to world peace and security and to the continued progress of arms control and disarmament. We emphasise the importance of multilateral negotiations on the prevention of an arms race in outer space.

15. We believe that direct or indirect threat or use of force in violation of the UN Charter and international law against the sovereignty, territorial integrity and political independence of the states; denial of the right to self-determination of peoples which remain under foreign occupation (a right which has to be exercised in accordance with the UN Charter and international law); interference in the internal affairs of states and offensive strategic doctrines pose threats to regional and international peace.

16. The Member States unconditionally and unequivocally condemn terrorism in all its forms and manifestations as well as any support or acquiescence to it and the failure to directly condemn it. The threat posed by terrorism has been increasingly growing over the last decade. Terrorism in all its forms is a trans-national threat, which endangers the lives of individuals and peoples and undermines the territorial integrity, unity, sovereignty and security of states. The menace of terrorism has been magnified by its close links with drug trafficking, illicit trafficking of small arms and light weapons (SALWs) and their transfers in any form to terrorist groups, racist ideologies, separatism, all forms of extremism which present basic sources of financing and providing manpower for terrorist activities. We regard as criminal all acts, methods and practices of terrorism and declare our determination to co-operate on bilateral as well as multilateral basis to combat terrorism including its possible sources. In order to eradicate this menace to peace and security, we shall reinforce and unite our efforts in order not to allow terrorism in any form to be prepared, assisted, launched and financed from the territory of any state and we shall refuse to provide terrorists with safe haven and protection.

17. We recognise that implementation of the UN Conventions will contribute to tackling the problems of terrorism and support the elaboration of a Comprehensive Convention on International Terrorism.

18. Separatism is one of the main threats and challenges to the security and stability, sovereignty, unity and territorial integrity of states. The Member States shall not support on the territory of another Member State any separatist movements and entities, and, if such emerge, not to establish political, economic and other kinds of relations with them, not to allow the territories and communications of the Member States to be used by the above-mentioned movements and entities, and not to render them any kind of economic, financial and other assistance. We reaffirm the right of people living under foreign occupation for self-determination in accordance with the UN Charter and international law.

19. We reject the use of religion as a pretext by terrorists and separatist movements and groups to achieve their objectives. We also reject all forms of extremism and will work to promote tolerance among our nations and peoples.

20. Illicit drug trafficking represents a major threat to internal and international stability and security of our states and our continent as a whole as well as to the well-being of our peoples. This problem is closely linked with the socio-economic and political situation in several regions, terrorist activities across the world, and international criminal groups engaged in trans-national crime, money laundering and illicit SALW trafficking. We recognise that there are several states in Asia which require priority attention and assistance by the international community in order to combat drug trafficking. We also recognise the need for effective strategies to reduce production, supply and demand for drugs. In this respect, we will co-operate to monitor suspicious financial flows, including issues related to incomes and transparency of bank operations in accordance with the existing international legal instruments, and to identify the sources of production, consumption and trafficking of drugs. In order to assist the practical implementation of these tasks, multinational training courses and exercises as well as exchange of information among the competent authorities of the Member States will be promoted. We also call upon major consuming countries to play a more active role in providing equipment, training and educational courses, rehabilitation, technical and financial assistance to Asian drug producing and transit countries. Adoption and implementation of crop substitution plans and alternative development strategies in drug producing regions in Asia should also be encouraged to tackle the menace of illicit drugs more effectively.

21. We also recognise corruption as a trans-national crime which calls for concerted multilateral action. In this regard, we emphasise the need for banning the transfer of illicit funds and wealth and also the need for enhanced international co-operation in tracing and repatriating such assets.

22. The Member States recognise that illicit traffic in small arms and light weapons poses a threat to peace and security and is directly linked with terrorist activity, separatist movements, drug trafficking and armed conflicts. In this context, we underline the importance of the Firearms Protocol reached in the framework of the UN Convention against Transnational Organised Crime and the Programme of Action adopted by the UN Conference on the Illicit Trade in Small Arms and Light Weapons in All its Aspects which was held in New York in July 2001.

23. We are determined to co-operate with each other on bilateral and multilateral basis to prevent such threats to peace and security in Asia.

III. Confidence Building Measures

24. In the context of achieving CICA objectives, we will take the necessary steps for the elaboration and implementation of measures aimed at enhancing co-operation and creating an atmosphere of peace, confidence and friendship. Such measures should be in accordance with the principles of the UN Charter, CICA, and international law. In doing so, we will take into account specific features and characteristics in various regions in Asia and proceed on a gradual and voluntary basis.

25. We encourage all states in the region having disputes to make efforts to solve their disputes peacefully through negotiations in accordance with the principles enshrined in the UN Charter and international law. We recognise that the resolution of territorial and other disputes and implementation of arms control agreements may, depending upon specific situations, facilitate implementation of confidence building measures (CBMs); on the other hand, we also recognise that implementation of CBMs may, depending upon specific situations, facilitate, or create a conducive climate for, the resolution of disputes and arms control agreements.

26. We recognise that disarmament and arms control, universality of all internationally negotiated instruments on the elimination of weapons of mass destruction, promoting non-proliferation, have a significant role in enhancing confidence building among regional states. We affirm that being a State Party to the relevant internationally negotiated instruments should not be interpreted as affecting the inalienable right of all parties to those treaties to develop research, production and use of nuclear technology, chemical and biological materials and equipment for peaceful purposes in accordance with the provisions of these instruments. We reiterate the importance of negative security assurances to the non-nuclear-weapon states and express our readiness to consider further steps on this subject which could take the form of an internationally legally binding instrument.

27. The Member States will prepare with mutual agreement a "CICA Catalogue of Confidence Building Measures" and proceed on a gradual basis for its implementation. The Catalogue, which will be regularly reviewed and further developed, may include, among others, measures in the military–political, economic and environmental, humanitarian and cultural spheres.

IV. Structure and institutions of CICA

28. In order to facilitate its efficient functioning, we have decided to provide for CICA the necessary structure and institutions, consisting mainly of the following:

1. Regular meetings

29. The meetings of the Heads of State or Government will be convened every four years in order to conduct consultations, review the progress of, and set priorities for CICA activities. Special meetings may be convened as necessary by consensus. Summit meetings will be preceded by meetings of the Ministers of Foreign Affairs.

30. The Ministers of Foreign Affairs will meet every two years. Their meetings will be the central forum for consultations and examination of all issues related to CICA activities. Special meetings may be convened as necessary by consensus.

31. The Committee of Senior Officials will meet at least once a year to follow-up on previous CICA decisions, carry out consultations on the current CICA issues, oversee the work of Special Working Groups and co-ordinate the work of other meetings. The Committee will also make the necessary preparations for the organisation of the Summit and ministerial meetings, including elaboration of draft documents.

32. Special Working Groups will be established to study specific issues relevant to CICA's areas of interest and to carry out the tasks mandated to them. They will submit the results of their work to the Committee of Senior Officials.

2. Specialised meetings

33. The Member States may agree to convene meetings of other ministers or of the competent national agencies and institutions in order to discuss issues of a specific and/or technical nature.

3. Academic and professional inputs

34. Opportunities will be provided as necessary for academic and professional inputs and reports, as well as assistance and contributions to publications which CICA may decide to produce.

4. Secretariat

35. In order to provide follow-up and administrative support for regular meetings and political consultations and other activities mentioned in the Almaty Act, we support the establishment of a Secretariat of the CICA. We task our Ministers of Foreign Affairs to finalise the elaboration of all aspects related to the establishment of the Secretariat.

Done in Almaty, June 4, 2002

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General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Fifty-seventh year

Identical letters dated 24 September 2002 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

The Israeli military siege and assaults on the Palestinian people and the Palestinian leadership continue today in blatant contempt for the United Nations Security Council and its resolutions. In its first response to the demands made by the Council in resolution 1435 (2002), Israel, the occupying Power, not only continued the siege on the headquarters compound of President Arafat in Ramallah but also carried out yet another invasion of Gaza City.

In fact, Israeli officials, including a senior adviser to Prime Minister Sharon, stated that it was "highly unlikely" that Israel would comply with Security Council resolution 1435 (2002). Moreover, other Israeli officials were quoted as stating that the United Nations demand for an end to the military actions was "difficult" to accept and that the occupying forces would continue such actions until their "objectives" were reached. Such utter disregard for the resolutions of the Council requires serious and immediate follow-up.

Indeed, even as the Security Council debated yesterday with regard to recent Israeli military actions and demanded, inter alia, that "Israel immediately cease measures in and around Ramallah including the destruction of Palestinian civilian and security infrastructure", the Israeli occupying forces launched another raid in Gaza. In the early morning hours of Tuesday (Palestine time), dozens of Israeli tanks, armoured vehicles and bulldozers, backed by helicopter gunships, raided a residential neighbourhood in Gaza City. At least 9 Palestinians were killed in this assault by the occupying forces and more than 20 others were wounded. In addition, the Israeli occupying forces blew up several buildings during this attack and demolished the home of another Palestinian family in Gaza.

The continuation of such illegal and criminal Israeli actions, including the killing of civilians and the demolition of homes, must be vigorously condemned and measures taken to bring them to an immediate end. The Security Council must stand firm in its seriousness in following up its resolutions, including in the field of

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compliance and implementation, and must not allow itself to be undermined by the flagrant disregard and defiance displayed by Israel, the occupying Power, in this regard. Indeed, the Council must show the necessary resolve to uphold its responsibilities and ensure the implementation of its resolutions, especially, now, resolution 1435 (2002).

In follow-up to my previous 136 letters to you regarding the ongoing crisis in the Occupied Palestinian Territory, including Jerusalem, dated from 29 September 2000 to 20 September 2002 (A/55/432-S/2000/921; A/55/437-S/2000/930; A/55/450-S/2000/957; A/55/466-S/2000/971; A/55/474-S/2000/984; A/55/490-S/2000/993; A/ES-10/39-S/2000/1015; A/ES-10/40-S/2000/1025; A/ES-10/42-S/2000/1068; A/ES-10/43-S/2000/1078; A/ES-10/44-S/2000/1093; A/ES-10/45-S/2000/1104; A/ES-10/46-S/2000/1107; A/ES-10/47-S/2000/1116; A/ES-10/48-S/2000/1129; A/ES-10/49-S/2000/1154; A/ES-10/50-S/2000/1173; A/ES-10/51-S/2000/1185; A/ES-10/52-S/2000/1206; A/ES-10/53-S/2000/1247; A/ES-10/54-S/2001/7; A/ES-10/55-S/2001/33; A/ES-10/56-S/2001/50; A/ES-10/57-S/2001/101; A/ES-10/58-S/2001/131; A/ES-10/59-S/2001/156; A/ES-10/60-S/2001/175; A/ES-10/61-S/2001/189; A/ES-10/64-S/2001/209; A/ES-10/65-S/2001/226; A/ES-10/66-S/2001/239; A/ES-10/67-S/2001/255; A/ES-10/68-S/2001/284; A/ES-10/69-S/2001/295; A/ES-10/70-S/2001/304; A/ES-10/71-S/2001/314; A/ES-10/72-S/2001/332; A/ES-10/75-S/2001/352; A/ES-10/76-S/2001/372; A/ES-10/79-S/2001/418; A/ES-10/80-S/2001/432; A/ES-10/81-S/2001/447; A/ES-10/82-S/2001/463; A/ES-10/83-S/2001/471; A/ES-10/84-S/2001/479; A/ES-10/85-S/2001/486; A/ES-10/86-S/2001/496; A/ES-10/87-S/2001/504; A/ES-10/88-S/2001/508; A/ES-10/89-S/2001/544; A/ES-10/90-S/2001/586; A/ES-10/91-S/2001/605; A/ES-10/92-S/2001/629; A/ES-10/93-S/2001/657; A/ES-10/94-S/2001/669; A/ES-10/95-S/2001/686; A/ES-10/96-S/2001/697; A/ES-10/97-S/2001/708; A/ES-10/98-S/2001/717; A/ES-10/99-S/2001/742; A/ES-10/100-S/2001/754; A/ES-10/101-S/2001/783; A/ES-10/102-S/2001/785; A/ES-10/103-S/2001/798; A/ES-10/104-S/2001/812; A/ES-10/105-S/2001/814; A/ES-10/107-S/2001/821; A/ES-10/108-S/2001/826; A/ES-10/111-S/2001/880; A/ES-10/112-S/2001/918; A/ES-10/114-S/2001/928; A/ES-10/115-S/2001/932; A/ES-10/116-S/2001/941; A/ES-10/117-S/2001/971; A/ES-10/118-S/2001/989; A/ES-10/119-S/2001/991; A/ES-10/121-S/2001/1007; A/ES-10/122-S/2001/1024; A/ES-10/123-S/2001/1036; A/ES-10/124-S/2001/1084; A/ES-10/125-S/2001/1092; A/ES-10/126-S/2001/1118; A/ES-10/128-S/2001/1149; A/ES-10/129-S/2001/1166; A/ES-10/133-S/2001/1239; A/ES-10/134-S/2001/126; A/ES-10/136-S/2002/18; A/ES-10/137-S/2002/39; A/ES-10/138-S/2002/48; A/ES-10/139-S/2002/58; A/ES-10/140-S/2002/89; A/ES-10/141-S/2002/95; A/ES-10/142-S/2002/102; A/ES-10/143-S/2002/121; A/ES-10/144-S/2002/142; A/ES-10/145-S/2002/146; A/ES-10/146-S/2002/165; A/ES-10/147-S/2002/175; A/ES-10/148-S/2002/182; A/ES-10/149-S/2002/186; A/ES-10/150-S/2002/214; A/ES-10/151-S/2002/223; A/ES-10/152-S/2002/232; A/ES-10/154-S/2002/242; A/ES-10/155-S/2002/248; A/ES-10/156-S/2002/245; A/ES-10/157-S/2002/253, A/ES-10/158-S/2002/258; A/ES-10/159-S/2002/281; A/ES-10/160-S/2002/307; A/ES-10/161-S/2002/319; A/ES-10/162-S/2002/330; A/ES-10/163-S/2002/340; A/ES-10/164-S/2002/353; A/ES-10/165-S/2002/361; A/ES-10/166-S/2002/370; A/ES-10/167-S/2002/433; A/ES-10/168-S/2002/474; A/ES-10/169-S/2002/495; A/ES-10/173-S/2002/536; A/ES-10/174-S/2002/555; A/ES-10/175-S/2002/610; A/ES-10/176-S/2002/617; A/ES-10/177-S/2002/641; A/ES-10/178-S/2002/650; A/ES-10/179-S/2002/654; A/ES-10/180-S/2002/686; A/ES-10/181-S/2002/697; A/ES-10/182-S/2002/699; A/ES-10/183-S/2002/717;

A/ES-10/184-S/2002/738; A/ES-10/185-S/2002/827; A/ES-10/190-S/2002/891; A/ES-10/192-S/2002/976; A/ES-10/193-S/2002/983; and A/ES-10/194-S/2002/1052), it is my regret to inform you that, since my last letter to you, at least 16 Palestinians, including children, have been killed by Israeli occupying forces, raising the total number of Palestinian martyrs killed since 28 September 2000 to 1,821 people. (The names of the martyrs that have been identified thus far are contained in the annex to the present letter.)

I would be grateful if you would arrange to have this letter and its annex distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Nasser **Al-Kidwa**
Ambassador
Permanent Observer of Palestine to the United Nations

Annex to the identical letters dated 24 September 2002 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

Names of martyrs killed by Israeli occupying forces in the Occupied Palestinian Territory, including Jerusalem* (Saturday, 21 September, through Tuesday, 24 September 2002)

Saturday, 21 September 2002

Haitham Saeed Natet (17 years old)

Sunday, 22 September 2002

1. Issa Abdelhafiz Ismail
2. Issam Mithkal Hamzeh Al-Talawy
3. Maher Ayad Hashash
4. Mohammed Sa'adi Al-Bahesh (13 years old)
5. Ahmed Mahmoud Radwan (18 years old)

Monday, 23 September 2002

Rawan Murad Issa Harizan (3 days old)

Tuesday, 24 September 2002

1. Mohammed Mahmoud Kishko
2. Yassin Nayef Nasar
3. Jaber Abdallah Al-Harazeen
4. Ihab Hisham Al-Maghny
5. Walid Hisham Al-Maghny (16 years old)
6. Adel Attallah Al-Deeb
7. Khalid Attallah Al-Deeb
8. Nidal Ismail Al-Sarsak
9. Ashraf Zawid

* The total number of Palestinian martyrs killed by Israeli occupying forces since 28 September 2000 is 1,821.

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Letter dated 24 September 2002 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council

My Foreign Secretary has asked me to draw your attention to the United Kingdom's new assessment of Iraq's programmes for developing weapons of mass destruction, which was published earlier today (further copies are available at http://www.fco.gov.uk and http://www.pm.gov.uk).

The assessment makes compelling and disturbing reading. Based on significant amounts of new intelligence, it shows clearly how Iraq has developed chemical and biological weapons, has acquired missiles capable of attacking neighbouring countries with these weapons and has persistently tried to develop a nuclear bomb.

The assessment goes on to show why the violent and aggressive nature of Saddam's regime increases our concern that he should have such devastating weapons in his hands. The present Iraqi regime now poses a unique danger.

That is why there is now an urgent need for a further concentrated international effort under United Nations auspices to ensure that Iraq's weapons of mass destruction can no longer pose an international threat. This will not be easy; even now, Iraq is still making arrangements to conceal its weapons of mass destruction programmes. But it is a task which can no longer be postponed.

The Government of the United Kingdom is glad that the international pressure now being exerted may have persuaded Iraq to agree to the possibility of the return of the inspectors. But we have seen such pronouncements before. The international community needs to keep up the pressure on Iraq to ensure that it grants the weapons inspectors the immediate and unfettered access demanded by previous Security Council resolutions. It is important, in our view, that the Security Council should, by adopting a new resolution now, reinforce the international community's determination that Iraq should comply with its obligations.

I would be grateful if you could circulate the present letter and the attached dossier, as a document of the Security Council.

(*Signed*) Jeremy **Greenstock**

02-60281 (E) 250902

Annex to the letter dated 24 September 2002 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council[a]

Iraq's weapons of mass destruction

The assessment of the British Government

Further copies are available on the Internet from:
No10 (www.pm.gov.uk)
FCO (www.fco.gov.uk)
MOD (www.mod.uk)
The Stationery Office (www.official-documents.co.uk)

[a] Issued in the original language only.

Contents

	Page
Foreword by the Prime Minister	3
Executive Summary	5
Part 1: Iraq's chemical, biological, nuclear and ballistic missile programmes	8
Chapter 1: The role of intelligence	8
Chapter 2: Iraq's programmes: 1971-1998	9
Chapter 3: The current position: 1998-2002	15
Part 2: History of UN weapons inspections	31
Part 3: Iraq under Saddam Hussein	40

FOREWORD BY THE PRIME MINISTER, THE RIGHT HONOURABLE TONY BLAIR MP

The document published today is based, in large part, on the work of the Joint Intelligence Committee (JIC). The JIC is at the heart of the British intelligence machinery. It is chaired by the Cabinet Office and made up of the heads of the UK's three Intelligence and Security Agencies, the Chief of Defence Intelligence, and senior officials from key government departments. For over 60 years the JIC has provided regular assessments to successive Prime Ministers and senior colleagues on a wide range of foreign policy and international security issues.

Its work, like the material it analyses, is largely secret. It is unprecedented for the Government to publish this kind of document. But in light of the debate about Iraq and Weapons of Mass Destruction (WMD), I wanted to share with the British public the reasons why I believe this issue to be a current and serious threat to the UK national interest.

In recent months, I have been increasingly alarmed by the evidence from inside Iraq that despite sanctions, despite the damage done to his capability in the past, despite the UN Security Council Resolutions expressly outlawing it, and despite his denials, Saddam Hussein is continuing to develop WMD, and with them the ability to inflict real damage upon the region, and the stability of the world.

Gathering intelligence inside Iraq is not easy. Saddam's is one of the most secretive and dictatorial regimes in the world. So I believe people will understand why the Agencies cannot be specific about the sources, which have formed the judgements in this document, and why we cannot publish everything we know. We cannot, of course, publish the detailed raw intelligence. I and other Ministers have been briefed in detail on the intelligence and are satisfied as to its authority. I also want to pay tribute to our Intelligence and Security Services for the often extraordinary work that they do.

What I believe the assessed intelligence has established beyond doubt is that Saddam has continued to produce chemical and biological weapons, that he continues in his efforts to develop nuclear weapons, and that he has been able to extend the range of his ballistic missile programme. I also believe that, as stated in the document, Saddam will now do his utmost to try to conceal his weapons from UN inspectors.

The picture presented to me by the JIC in recent months has become more not less worrying. It is clear that, despite sanctions, the policy of containment has not worked sufficiently well to prevent Saddam from developing these weapons.

I am in no doubt that the threat is serious and current, that he has made progress on WMD, and that he has to be stopped.

Saddam has used chemical weapons, not only against an enemy state, but against his own people. Intelligence reports make clear that he sees the building up of his WMD capability, and the belief overseas that he would use these weapons, as vital to his

strategic interests, and in particular his goal of regional domination. And the document discloses that his military planning allows for some of the WMD to be ready within 45 minutes of an order to use them.

I am quite clear that Saddam will go to extreme lengths, indeed has already done so, to hide these weapons and avoid giving them up.

In today's inter-dependent world, a major regional conflict does not stay confined to the region in question. Faced with someone who has shown himself capable of using WMD, I believe the international community has to stand up for itself and ensure its authority is upheld.

The threat posed to international peace and security, when WMD are in the hands of a brutal and aggressive regime like Saddam's, is real. Unless we face up to the threat, not only do we risk undermining the authority of the UN, whose resolutions he defies, but more importantly and in the longer term, we place at risk the lives and prosperity of our own people.

The case I make is that the UN Resolutions demanding he stops his WMD programme are being flouted; that since the inspectors left four years ago he has continued with this programme; that the inspectors must be allowed back in to do their job properly; and that if he refuses, or if he makes it impossible for them to do their job, as he has done in the past, the international community will have to act.

I believe that faced with the information available to me, the UK Government has been right to support the demands that this issue be confronted and dealt with. We must ensure that he does not get to use the weapons he has, or get hold of the weapons he wants.

EXECUTIVE SUMMARY

1. Under Saddam Hussein Iraq developed chemical and biological weapons, acquired missiles allowing it to attack neighbouring countries with these weapons and persistently tried to develop a nuclear bomb. Saddam has used chemical weapons, both against Iran and against his own people. Following the Gulf War, Iraq had to admit to all this. And in the ceasefire of 1991 Saddam agreed unconditionally to give up his weapons of mass destruction.

2. Much information about Iraq's weapons of mass destruction is already in the public domain from UN reports and from Iraqi defectors. This points clearly to Iraq's continuing possession, after 1991, of chemical and biological agents and weapons produced before the Gulf War. It shows that Iraq has refurbished sites formerly associated with the production of chemical and biological agents. And it indicates that Iraq remains able to manufacture these agents, and to use bombs, shells, artillery rockets and ballistic missiles to deliver them.

3. An independent and well-researched overview of this public evidence was provided by the International Institute for Strategic Studies (IISS) on 9 September. The IISS report also suggested that Iraq could assemble nuclear weapons within months of obtaining fissile material from foreign sources.

4. As well as the public evidence, however, significant additional information is available to the Government from secret intelligence sources, described in more detail in this paper. This intelligence cannot tell us about everything. However, it provides a fuller picture of Iraqi plans and capabilities. It shows that Saddam Hussein attaches great importance to possessing weapons of mass destruction which he regards as the basis for Iraq's regional power. It shows that he does not regard them only as weapons of last resort. He is ready to use them, including against his own population, and is determined to retain them, in breach of United Nations Security Council Resolutions (UNSCR).

5. Intelligence also shows that Iraq is preparing plans to conceal evidence of these weapons, including incriminating documents, from renewed inspections. And it confirms that despite sanctions and the policy of containment, Saddam has continued to make progress with his illicit weapons programmes.

6. As a result of the intelligence we judge that Iraq has:

   - continued to produce chemical and biological agents;
   - military plans for the use of chemical and biological weapons, including against its own Shia population. Some of these weapons are deployable within 45 minutes of an order to use them;
   - command and control arrangements in place to use chemical and biological weapons. Authority ultimately resides with Saddam Hussein. (There is intelligence that he may have delegated this authority to his son Qusai);

- developed mobile laboratories for military use, corroborating earlier reports about the mobile production of biological warfare agents;
- pursued illegal programmes to procure controlled materials of potential use in the production of chemical and biological weapons programmes;

- tried covertly to acquire technology and materials which could be used in the production of nuclear weapons;
- sought significant quantities of uranium from Africa, despite having no active civil nuclear power programme that could require it;
- recalled specialists to work on its nuclear programme;

- illegally retained up to 20 al-Hussein missiles, with a range of 650km, capable of carrying chemical or biological warheads;
- started deploying its al-Samoud liquid propellant missile, and has used the absence of weapons inspectors to work on extending its range to at least 200km, which is beyond the limit of 150km imposed by the United Nations;
- started producing the solid-propellant Ababil-100, and is making efforts to extend its range to at least 200km, which is beyond the limit of 150km imposed by the United Nations;
- constructed a new engine test stand for the development of missiles capable of reaching the UK Sovereign Base Areas in Cyprus and NATO members (Greece and Turkey), as well as all Iraq's Gulf neighbours and Israel;
- pursued illegal programmes to procure materials for use in its illegal development of long range missiles;

- learnt lessons from previous UN weapons inspections and has already begun to conceal sensitive equipment and documentation in advance of the return of inspectors.

7. These judgements reflect the views of the Joint Intelligence Committee (JIC). More details on the judgements and on the development of the JIC's assessments since 1998 are set out in Part 1 of this paper.

8. Iraq's weapons of mass destruction are in breach of international law. Under a series of UN Security Council Resolutions Iraq is obliged to destroy its holdings of these weapons under the supervision of UN inspectors. Part 2 of the paper sets out the key UN Security Council Resolutions. It also summarises the history of the UN inspection regime and Iraq's history of deception, intimidation and concealment in its dealings with the UN inspectors.

9. But the threat from Iraq does not depend solely on the capabilities we have described. It arises also because of the violent and aggressive nature of Saddam Hussein's regime. His record of internal repression and external aggression gives rise to unique concerns about the threat he poses. The paper briefly outlines in Part 3 Saddam's rise to power, the nature of his regime and his history of regional aggression. Saddam's human rights abuses are also catalogued, including his record of torture, mass arrests and summary executions.

10. The paper briefly sets out how Iraq is able to finance its weapons programme. Drawing on illicit earnings generated outside UN control, Iraq generated illegal income of some $3 billion in 2001.

PART 1

IRAQ'S CHEMICAL, BIOLOGICAL, NUCLEAR AND BALLISTIC MISSILE PROGRAMMES

CHAPTER 1: THE ROLE OF INTELLIGENCE

1. Since UN inspectors were withdrawn from Iraq in 1998, there has been little overt information on Iraq's chemical, biological, nuclear and ballistic missile programmes. Much of the publicly available information about Iraqi capabilities and intentions is dated. But we also have available a range of secret intelligence about these programmes and Saddam Hussein's intentions. This comes principally from the United Kingdom's intelligence and analysis agencies – the Secret Intelligence Service (SIS), the Government Communications Headquarters (GCHQ), the Security Service, and the Defence Intelligence Staff (DIS). We also have access to intelligence from close allies.

2. Intelligence rarely offers a complete account of activities which are designed to remain concealed. The nature of Saddam's regime makes Iraq a difficult target for the intelligence services. Intelligence, however, has provided important insights into Iraqi programmes and Iraqi military thinking. Taken together with what is already known from other sources, this intelligence builds our understanding of Iraq's capabilities and adds significantly to the analysis already in the public domain. But intelligence sources need to be protected, and this limits the detail that can be made available.

3. Iraq's capabilities have been regularly reviewed by the Joint Intelligence Committee (JIC), which has provided advice to the Prime Minister and his senior colleagues on the developing assessment, drawing on all available sources. Part 1 of this paper includes some of the most significant views reached by the JIC between 1999 and 2002.

Joint Intelligence Committee (JIC)

The JIC is a Cabinet Committee with a history dating back to 1936. The JIC brings together the Heads of the three Intelligence and Security Agencies (Secret Intelligence Service, Government Communications Headquarters and the Security Service), the Chief of Defence Intelligence, senior policy makers from the Foreign Office, the Ministry of Defence, the Home Office, the Treasury and the Department of Trade and Industry and representatives from other Government Departments and Agencies as appropriate. The JIC provides regular intelligence assessments to the Prime Minister, other Ministers and senior officials on a wide range of foreign policy and international security issues. It meets each week in the Cabinet Office.

CHAPTER 2

IRAQ'S PROGRAMMES: 1971–1998

1. Iraq has been involved in chemical and biological warfare research for over 30 years. Its **chemical warfare** research started in 1971 at a small, well guarded site at Rashad to the north east of Baghdad. Research was conducted there on a number of chemical agents including mustard gas, CS and tabun. Later, in 1974 a dedicated organisation called al-Hasan Ibn al-Haitham was established. In the late 1970s plans were made to build a large research and commercial-scale

> **Effects of Chemical Weapons**
>
> **Mustard** is a liquid agent, which gives off a hazardous vapour, causing burns and blisters to exposed skin. When inhaled, mustard damages the respiratory tract; when ingested, it causes vomiting and diarrhoea. It attacks and damages the eyes, mucous membranes, lungs, skin, and blood-forming organs.
>
> **Tabun, sarin and VX** are all nerve agents of which VX is the most toxic. They all damage the nervous system, producing muscular spasms and paralysis. As little as 10 milligrammes of VX on the skin can cause rapid death.

production facility in the desert some 70km north west of Baghdad under the cover of Project 922. This was to become Muthanna State Establishment, also known as al-Muthanna, and operated under the front name of Iraq's State Establishment for Pesticide Production. It became operational in 1982-83. It had five research and development sections, each tasked to pursue different programmes. In addition, the al-Muthanna site was the main chemical agent production facility, and it also took the lead in weaponising chemical and biological agents including all aspects of weapon development and testing, in association with the military. According to information, subsequently supplied by the Iraqis, the total production capacity in 1991 was 4,000 tonnes of agent per annum, but we assess it could have been higher. Al-Muthanna was supported by three separate storage and precursor production facilities known as Fallujah 1, 2 and 3 near Habbaniyah, north west of Baghdad, parts of which were not completed before they were heavily bombed in the 1991 Gulf War.

2. Iraq started **biological warfare** research in the mid-1970s. After small-scale research, a purpose-built research and development facility was authorised at al-Salman, also known as Salman Pak. This is surrounded on three sides by the Tigris river and situated some 35km south of Baghdad. Although some progress was made in biological weapons research at this early stage, Iraq decided to concentrate on developing chemical agents and their delivery systems at al-Muthanna. With the outbreak of the Iran-Iraq War, in the early 1980s, the biological weapons programme was revived. The appointment of Dr Rihab Taha in 1985, to head a small biological weapons research team at al-Muthanna,

The effects of biological agents

Anthrax is a disease caused by the bacterium Bacillus Anthracis. Inhalation anthrax is the manifestation of the disease likely to be expected in biological warfare. The symptoms may vary, but can include fever and internal bleeding. The incubation period for anthrax is 1 to 7 days, with most cases occurring within 2 days of exposure.

Botulinum toxin is one of the most toxic substances known to man. The first symptoms of poisoning may appear as early as 1 hour post exposure or as late as 8 days after exposure, with the incubation period between 12 and 22 hours. Paralysis leads to death by suffocation.

Aflatoxins are fungal toxins, which are potent carcinogens. Most symptoms take a long time to show. Food products contaminated by aflatoxins can cause liver inflammation and cancer. They can also affect pregnant women, leading to stillborn babies and children born with mutations.

Ricin is derived from the castor bean and can cause multiple organ failure leading to death within one or two days of inhalation.

helped to develop the programme. At about the same time plans were made to develop the Salman Pak site into a secure biological warfare research facility. Dr Taha continued to work with her team at al-Muthanna until 1987 when it moved to Salman Pak, which was under the control of the Directorate of General Intelligence. Significant resources were provided for the programme, including the construction of a dedicated production facility (Project 324) at al-Hakam. Agent production began in 1988 and weaponisation testing and later filling of munitions was conducted in association with the staff at Muthanna State Establishment. From mid-1990, other civilian facilities were taken over and some adapted for use in the production and research and development of biological agents. These included:

- al-Dawrah Foot and Mouth Vaccine Institute which produced botulinum toxin and conducted virus research. There is some intelligence to suggest that work was also conducted on anthrax;
- al-Fudaliyah Agriculture and Water Research Centre where Iraq admitted it undertook aflatoxin production and genetic engineering;
- Amariyah Sera and Vaccine Institute which was used for the storage of biological agent seed stocks and was involved in genetic engineering.

3. By the time of the Gulf War Iraq was producing very large quantities of chemical and biological agents. From a series of Iraqi declarations to the UN during the 1990s we know that by 1991 they had produced at least:
   - 19,000 litres of botulinum toxin, 8,500 litres of anthrax, 2,200 litres of aflatoxin and were working on a number of other agents;

- 2,850 tonnes of mustard gas, 210 tonnes of tabun, 795 tonnes of sarin and cyclosarin, and 3.9 tonnes of VX.

4. Iraq's **nuclear programme** was established under the Iraqi Atomic Energy Commission in the 1950s. Under a nuclear co-operation agreement signed with the Soviet Union in 1959, a nuclear research centre, equipped with a research reactor, was built at Tuwaitha, the main Iraqi nuclear research centre. The research reactor worked up to 1991. The surge in Iraqi oil revenues in the early 1970s supported an expansion of the research programme. This was bolstered in the mid-1970s by the acquisition of two research reactors powered by highly enriched uranium fuel and equipment for fuel fabrication and handling. By the end of 1984 Iraq was self-sufficient in uranium ore. One of the reactors was destroyed in an Israeli air attack in June 1981 shortly before it was to become operational; the other was never completed.

5. By the mid-1980s the deterioration of Iraq's position in the war with Iran prompted renewed interest in the military use of nuclear technology. Additional resources were put into developing technologies to enrich uranium as fissile material (material that makes up the core of a nuclear weapon) for use in nuclear weapons. Enriched uranium was preferred because it could be more easily produced covertly than the alternative, plutonium. Iraq followed parallel programmes to produce highly enriched uranium (HEU), electromagnetic isotope separation (EMIS) and gas centrifuge enrichment. By 1991 one EMIS enrichment facility was nearing completion and another was under construction. However, Iraq never succeeded in its EMIS technology and the programme had been dropped by 1991. Iraq decided to concentrate on gas centrifuges as the means for producing the necessary fissile material. Centrifuge facilities were also under construction, but the centrifuge design was still being developed. In August 1990 Iraq instigated a crash programme to develop a single nuclear weapon within a year. This programme envisaged the rapid development of a small 50 machine gas centrifuge cascade to produce weapons-grade HEU using fuel from the Soviet research reactor, which was already substantially enriched, and unused fuel from the reactor bombed by the Israelis. By the time of the Gulf War, the crash programme had made little progress.

6. Iraq's declared aim was to produce a missile warhead with a 20-kiloton yield and weapons designs were produced for the simplest implosion weapons. These were similar to the device used at Nagasaki in 1945. Iraq was also working on more

Effect of a 20-kiloton nuclear detonation

A detonation of a 20-kiloton nuclear warhead over a city might flatten an area of approximately 3 square miles. Within 1.6 miles of detonation, blast damage and radiation would cause 80% casualties, three-quarters of which would be fatal. Between 1.6 and 3.1 miles from the detonation, there would still be 10% casualties.

advanced concepts. By 1991 the programme was supported by a large body of Iraqi nuclear expertise, programme documentation and databases and manufacturing infrastructure. The International Atomic Energy Agency (IAEA) reported that Iraq had:

- experimented with high explosives to produce implosive shock waves;
- invested significant effort to understand the various options for neutron initiators;
- made significant progress in developing capabilities for the production, casting and machining of uranium metal.

SCUD missiles

The short-range mobile SCUD ballistic missile was developed by the Soviet Union in the 1950s, drawing on the technology of the German V-2 developed in World War II.

For many years it was the mainstay of Soviet and Warsaw Pact tactical missile forces and it was also widely exported. Recipients of Soviet-manufactured SCUDs included Iraq, North Korea, Iran, and Libya, although not all were sold directly by the Soviet Union.

7. Prior to the Gulf War, Iraq had a well-developed **ballistic missile** industry. Many of the missiles fired in the Gulf War were an Iraqi modified version of the SCUD missile, the al-Hussein, with an extended range of 650km. Iraq had about 250 imported SCUD-type missiles prior to the Gulf War plus an unknown number of indigenously produced engines and components. Iraq was working on other stretched SCUD variants, such as the al-Abbas, which had a range of 900km. Iraq was also seeking to reverse-engineer the SCUD engine with a view to producing new missiles. Recent intelligence indicates that they may have succeeded at that time. In particular, Iraq had plans for a new SCUD-derived missile with a range of 1200km. Iraq also conducted a partial flight test of a multi-stage satellite launch vehicle based on SCUD technology, known as the al-Abid. Also during this period, Iraq was developing the Badr-2000, a 700-1000km range two-stage solid propellant missile (based on the Iraqi part of the 1980s CONDOR-2 programme run in co-operation with Argentina and Egypt). There were plans for 1200–1500km range solid propellant follow-on systems.

The use of chemical and biological weapons

8. Iraq had made frequent use of a variety of chemical weapons during the Iran-Iraq War. Many of the casualties are still in Iranian hospitals suffering from the long-term effects of numerous types of cancer and lung diseases. In 1988 Saddam also used mustard and nerve agents against Iraqi Kurds at Halabja in northern Iraq (see box on p15). Estimates vary, but according to Human Rights Watch up to 5,000 people were killed.

9. Iraq used significant quantities of mustard, tabun and sarin during the war with Iran resulting in over 20,000 Iranian casualties. A month after the attack on Halabja, Iraqi troops used over 100 tonnes of sarin against Iranian troops on the al-Fao peninsula. Over the next three months Iraqi troops used sarin and other nerve agents on Iranian troops causing extensive casualties.

The Attack on Halabja

On Friday 17th March 1988 the village of Halabja was bombarded by Iraqi warplanes. The raid was over in minutes. Saddam Hussein used chemical weapons against his own people. A Kurd described the effects of a chemical attack on another village:

"My brothers and my wife had blood and vomit running from their noses and their mouths. Their heads were tilted to one side. They were groaning. I couldn't do much, just clean up the blood and vomit from their mouths and try in every way to make them breathe again. I did artificial respiration on them and then I gave them two injections each. I also rubbed creams on my wife and two brothers."

(From "Crimes Against Humanity" Iraqi National Congress.)

Among the corpses at Halabja, children were found dead where they had been playing outside their homes. In places, streets were piled with corpses.

10. From Iraqi declarations to the UN after the Gulf War we know that by 1991 Iraq had produced a variety of delivery means for chemical and biological agents including over 16,000 free-fall bombs and over 110,000 artillery rockets and shells. Iraq also admitted to the UN Special Commission (UNSCOM) that it had 50 chemical and 25 biological warheads available for its ballistic missiles.

The use of ballistic missiles

11. Iraq fired over 500 SCUD-type missiles at Iran during the Iran-Iraq War at both civilian and military targets, and 93 SCUD-type missiles during the Gulf War. The latter were targeted at Israel and Coalition forces stationed in the Gulf region.

12. At the end of the Gulf War the international community was determined that Iraq's arsenal of chemical and biological weapons and ballistic missiles should be dismantled. The method chosen to achieve this was the establishment of UNSCOM to carry out intrusive inspections within Iraq and to eliminate its chemical and biological weapons and ballistic missiles with a range of over 150km. The IAEA was charged with the abolition of Iraq's nuclear weapons programme. Between 1991 and 1998 UNSCOM succeeded in identifying and destroying very large quantities of chemical weapons and ballistic missiles as well as associated production facilities. The IAEA also destroyed the infrastructure for Iraq's nuclear weapons programme and removed key nuclear materials. This was achieved despite a continuous and sophisticated programme of harassment, obstruction, deception and denial (see Part 2). Because of this UNSCOM concluded by 1998 that it was unable to fulfil its mandate. The inspectors were withdrawn in December 1998.

13. Based on the UNSCOM report to the UN Security Council in January 1999 and earlier UNSCOM reports, we assess that when the UN inspectors left Iraq they were unable to account for:

- up to 360 tonnes of bulk chemical warfare agent, including 1.5 tonnes of VX nerve agent;
- up to 3,000 tonnes of precursor chemicals, including approximately 300 tonnes which, in the Iraqi chemical warfare programme, were unique to the production of VX;
- growth media procured for biological agent production (enough to produce over three times the 8,500 litres of anthrax spores Iraq admits to having manufactured);
- over 30,000 special munitions for delivery of chemical and biological agents.

14. The departure of UNSCOM meant that the international community was unable to establish the truth behind these large discrepancies and greatly diminished its ability to monitor and assess Iraq's continuing attempts to reconstitute its programmes.

CHAPTER 3

THE CURRENT POSITION: 1998–2002

1. This chapter sets out what we know of Saddam Hussein's chemical, biological, nuclear and ballistic missile programmes, drawing on all the available evidence. While it takes account of the results from UN inspections and other publicly available information, it also draws heavily on the latest intelligence about Iraqi efforts to develop their programmes and capabilities since 1998. The **main conclusions** are that:

- Iraq has a useable chemical and biological weapons capability, in breach of UNSCR 687, which has included recent production of chemical and biological agents;
- Saddam continues to attach great importance to the possession of weapons of mass destruction and ballistic missiles which he regards as being the basis for Iraq's regional power. He is determined to retain these capabilities;
- Iraq can deliver chemical and biological agents using an extensive range of artillery shells, free-fall bombs, sprayers and ballistic missiles;
- Iraq continues to work on developing nuclear weapons, in breach of its obligations under the Non-Proliferation Treaty and in breach of UNSCR 687. Uranium has been sought from Africa that has no civil nuclear application in Iraq;
- Iraq possesses extended-range versions of the SCUD ballistic missile in breach of UNSCR 687 which are capable of reaching Cyprus, Eastern Turkey, Tehran and Israel. It is also developing longer-range ballistic missiles;
- Iraq's current military planning specifically envisages the use of chemical and biological weapons;
- Iraq's military forces are able to use chemical and biological weapons, with command, control and logistical arrangements in place. The Iraqi military are able to deploy these weapons within 45 minutes of a decision to do so;
- Iraq has learnt lessons from previous UN weapons inspections and is already taking steps to conceal and disperse sensitive equipment and documentation in advance of the return of inspectors;
- Iraq's chemical, biological, nuclear and ballistic missiles programmes are well-funded.

CHEMICAL AND BIOLOGICAL WEAPONS

Joint Intelligence Committee (JIC) Assessment: 1999–2002

2. Since the withdrawal of the inspectors the JIC has monitored evidence, including from secret intelligence, of continuing work on Iraqi offensive chemical and biological warfare capabilities. In the first half of 2000 the JIC noted

intelligence on Iraqi attempts to procure dual-use chemicals and on the reconstruction of civil chemical production at sites formerly associated with the chemical warfare programme. Iraq had also been trying to procure dual-use materials and equipment which could be used for a biological warfare programme. Personnel known to have been connected to the biological warfare programme up to the Gulf War had been conducting research into pathogens. There was intelligence that Iraq was starting to produce biological warfare agents in mobile production facilities. Planning for the project had begun in 1995 under Dr Rihab Taha, known to have been a central player in the pre-Gulf War programme. The JIC concluded that Iraq had sufficient expertise, equipment and material to produce biological warfare agents within weeks using its legitimate bio-technology facilities.

3. In mid-2001 the JIC assessed that Iraq retained some chemical warfare agents, precursors, production equipment and weapons from before the Gulf War. These stocks would enable Iraq to produce significant quantities of mustard gas within weeks and of nerve agent within months. The JIC concluded that intelligence on Iraqi former chemical and biological warfare facilities, their limited reconstruction and civil production pointed to a continuing research and development programme. These chemical and biological capabilities represented the most immediate threat from Iraqi weapons of mass destruction. Since 1998 Iraqi development of mass destruction weaponry had been helped by the absence of inspectors and the increase in illegal border trade, which was providing hard currency.

4. In the last six months the JIC has confirmed its earlier judgements on Iraqi chemical and biological warfare capabilities and assessed that Iraq has the means to deliver chemical and biological weapons.

Recent intelligence

5. Subsequently, intelligence has become available from reliable sources which complements and adds to previous intelligence and confirms the JIC assessment that Iraq has chemical and biological weapons. The intelligence also shows that the Iraqi leadership has been discussing a number of issues related to these weapons. This intelligence covers:

- **Confirmation that chemical and biological weapons play an important role in Iraqi military thinking:** intelligence shows that Saddam attaches great importance to the possession of chemical and biological weapons which he regards as being the basis for Iraqi regional power. He believes that respect for Iraq rests on its possession of these weapons and the missiles capable of delivering them. Intelligence indicates that Saddam is determined to retain this capability and recognises that Iraqi political weight would be diminished if Iraq's military power rested solely on its conventional military forces.

- **Iraqi attempts to retain its existing banned weapons systems:** Iraq is already taking steps to prevent UN weapons inspectors finding evidence of

its chemical and biological weapons programme. Intelligence indicates that Saddam has learnt lessons from previous weapons inspections, has identified possible weak points in the inspections process and knows how to exploit them. Sensitive equipment and papers can easily be concealed and in some cases this is already happening. The possession of mobile biological agent production facilities will also aid concealment efforts. Saddam is determined not to lose the capabilities that he has been able to develop further in the four years since inspectors left.

- **Saddam's willingness to use chemical and biological weapons:** intelligence indicates that as part of Iraq's military planning Saddam is willing to use chemical and biological weapons, including against his own Shia population. Intelligence indicates that the Iraqi military are able to deploy chemical or biological weapons within 45 minutes of an order to do so.

Chemical and biological agents: surviving stocks

6. When confronted with questions about the unaccounted stocks, Iraq has claimed repeatedly that if it had retained any chemical agents from before the Gulf War they would have deteriorated sufficiently to render them harmless. But Iraq has admitted to UNSCOM to having the knowledge and capability to add stabiliser to nerve agent and other chemical warfare agents which would prevent such decomposition. In 1997 UNSCOM also examined some munitions which had been filled with mustard gas prior to 1991 and found that they remained very toxic and showed little sign of deterioration.

7. Iraq has claimed that all its biological agents and weapons have been destroyed. No convincing proof of any kind has been produced to support this claim. In particular, Iraq could not explain large discrepancies between the amount of growth media (nutrients required for the specialised growth of agent) it procured before 1991 and the amounts of agent it admits to having manufactured. The discrepancy is enough to produce more than three times the amount of anthrax allegedly manufactured.

Chemical agent: production capabilities

8. Intelligence shows that Iraq has continued to produce chemical agent. During the Gulf War a number of facilities which intelligence reporting indicated were directly or indirectly associated with Iraq's chemical weapons effort were attacked and damaged. Following the ceasefire UNSCOM destroyed or rendered harmless facilities and equipment used in Iraq's chemical weapons programme. Other equipment was released for civilian use either in industry or academic institutes, where it was tagged and regularly inspected and monitored, or else placed under camera monitoring, to ensure that it was not being misused. This monitoring ceased when UNSCOM withdrew from Iraq in 1998. However, capabilities remain and, although the main chemical weapon production facility at al-Muthanna was completely destroyed by UNSCOM and has not been

rebuilt, other plants formerly associated with the chemical warfare programme have been rebuilt. These include the chlorine and phenol plant at Fallujah 2 near Habbaniyah. In addition to their civilian uses, chlorine and phenol are used for precursor chemicals which contribute to the production of chemical agents.

9. Other dual-use facilities, which are capable of being used to support the production of chemical agent and precursors, have been rebuilt and re-equipped. New chemical facilities have been built, some with illegal foreign assistance, and are probably fully operational or ready for production. These include the Ibn Sina Company at Tarmiyah (see figure 1), which is a chemical research centre. It undertakes research, development and production of chemicals previously imported but not now available and which are needed for Iraq's civil industry. The Director General of the research centre is Hikmat Na'im al-Jalu who prior to the Gulf War worked in Iraq's nuclear weapons programme and after the war was responsible for preserving Iraq's chemical expertise.

FIGURE 1: THE IBN SINA COMPANY AT TARMIYAH

10. Parts of the al-Qa'qa' chemical complex damaged in the Gulf War have also been repaired and are operational. Of particular concern are elements of the phosgene production plant at al-Qa'qa'. These were severely damaged during the Gulf War, and dismantled under UNSCOM supervision, but have since been rebuilt. While phosgene does have industrial uses it can also be used by itself as a chemical agent or as a precursor for nerve agent.

11. Iraq has retained the expertise for chemical warfare research, agent production and weaponisation. Most of the personnel previously involved in the programme remain in country. While UNSCOM found a number of technical manuals (so called "cook books") for the production of chemical agents and critical precursors, Iraq's claim to have unilaterally destroyed the bulk of the documentation cannot be confirmed and is almost certainly untrue. Recent intelligence indicates that Iraq is still discussing methods of concealing such documentation in order to ensure that it is not discovered by any future UN inspections.

The Problem of Dual-Use Facilities

Almost all components and supplies used in weapons of mass destruction and ballistic missile programmes are dual-use. For example, any major petrochemical or biotech industry, as well as public health organisations, will have legitimate need for most materials and equipment required to manufacture chemical and biological weapons. Without UN weapons inspectors it is very difficult therefore to be sure about the true nature of many of Iraq's facilities.

For example, Iraq has built a large new chemical complex, Project Baiji, in the desert in north west Iraq at al-Sharqat (see figure 2). This site is a former uranium enrichment facility which was damaged during the Gulf War and rendered harmless under supervision of the IAEA. Part of the site has been rebuilt, with work starting in 1992, as a chemical production complex. Despite the site being far away from populated areas it is surrounded by a high wall with watch towers and guarded by armed guards. Intelligence reports indicate that it will produce nitric acid which can be used in explosives, missile fuel and in the purification of uranium.

FIGURE 2: AL-SHARQAT CHEMICAL PRODUCTION FACILITY

Biological agent: production capabilities

12. We know from intelligence that Iraq has continued to produce biological warfare agents. As with some chemical equipment, UNSCOM only destroyed equipment that could be directly linked to biological weapons production. Iraq also has its own engineering capability to design and construct biological agent associated fermenters, centrifuges, sprayer dryers and other equipment and is judged to be self-sufficient in the technology required to produce biological weapons. The

experienced personnel who were active in the programme have largely remained in the country. Some dual-use equipment has also been purchased, but without monitoring by UN inspectors Iraq could have diverted it to their biological weapons programme. This newly purchased equipment and other equipment previously subject to monitoring could be used in a resurgent biological warfare programme. Facilities of concern include:

- the Castor Oil Production Plant at Fallujah: this was damaged in UK/US air attacks in 1998 (Operation Desert Fox) but has been rebuilt. The residue from the castor bean pulp can be used in the production of the biological agent ricin;
- the al-Dawrah Foot and Mouth Disease Vaccine Institute: which was involved in biological agent production and research before the Gulf War;
- the Amariyah Sera and Vaccine Plant at Abu Ghraib: UNSCOM established that this facility was used to store biological agents, seed stocks and conduct biological warfare associated genetic research prior to the Gulf War. It has now expanded its storage capacity.

13. UNSCOM established that Iraq considered the use of mobile biological agent production facilities. In the past two years evidence from defectors has indicated the existence of such facilities. Recent intelligence confirms that the Iraqi military have developed mobile facilities. These would help Iraq conceal and protect biological agent production from military attack or UN inspection.

Chemical and biological agents: delivery means

14. Iraq has a variety of delivery means available for both chemical and biological agents. These include:

- free-fall bombs: Iraq acknowledged to UNSCOM the deployment to two sites of free-fall bombs filled with biological agent during 1990–91. These bombs were filled with anthrax, botulinum toxin and aflatoxin. Iraq also acknowledged possession of four types of aerial bomb with various chemical agent fills including sulphur mustard, tabun, sarin and cyclosarin;
- artillery shells and rockets: Iraq made extensive use of artillery munitions filled with chemical agents during the Iran-Iraq War. Mortars can also be used for chemical agent delivery. Iraq is known to have tested the use of shells and rockets filled with biological agents. Over 20,000 artillery munitions remain unaccounted for by UNSCOM;
- helicopter and aircraft borne sprayers: Iraq carried out studies into aerosol dissemination of biological agent using these platforms prior to 1991. UNSCOM was unable to account for many of these devices. It is probable that Iraq retains a capability for aerosol dispersal of both chemical and biological agent over a large area;
- al-Hussein ballistic missiles (range 650km): Iraq told UNSCOM that it filled 25 warheads with anthrax, botulinum toxin and aflatoxin. Iraq also

developed chemical agent warheads for al-Hussein. Iraq admitted to producing 50 chemical warheads for al-Hussein which were intended for the delivery of a mixture of sarin and cyclosarin. However, technical analysis of warhead remnants has shown traces of VX degradation product which indicate that some additional warheads were made and filled with VX;

- al-Samoud/Ababil-100 ballistic missiles (range 150km plus): it is unclear if chemical and biological warheads have been developed for these systems, but given the Iraqi experience on other missile systems, we judge that Iraq has the technical expertise for doing so;

- L-29 remotely piloted vehicle programme (see figure 3): we know from intelligence that Iraq has attempted to modify the L-29 jet trainer to allow it to be used as an Unmanned Aerial Vehicle (UAV) which is potentially capable of delivering chemical and biological agents over a large area.

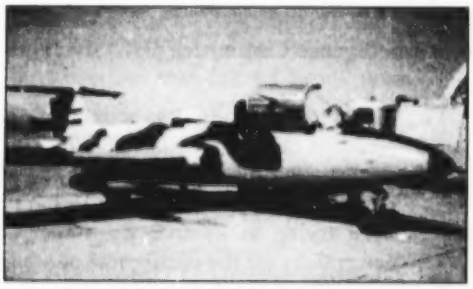


FIGURE 3: THE L-29 JET TRAINER

Chemical and biological warfare: command and control

15. The authority to use chemical and biological weapons ultimately resides with Saddam but intelligence indicates that he may have also delegated this authority to his son Qusai. Special Security Organisation (SSO) and Special Republican Guard (SRG) units would be involved in the movement of any chemical and biological weapons to military units. The Iraqi military holds artillery and missile systems at Corps level throughout the Armed Forces and conducts regular training with them. The Directorate of Rocket Forces has operational control of strategic missile systems and some Multiple Launcher Rocket Systems.

Chemical and biological weapons: summary

16. Intelligence shows that Iraq has covert chemical and biological weapons programmes, in breach of UN Security Council Resolution 687 and has continued to produce chemical and biological agents. Iraq has:

    - chemical and biological agents and weapons available, both from pre-Gulf War stocks and more recent production;
    - the capability to produce the chemical agents mustard gas, tabun, sarin, cyclosarin, and VX capable of producing mass casualties;

- a biological agent production capability and can produce at least anthrax, botulinum toxin, aflatoxin and ricin. Iraq has also developed mobile facilities to produce biological agents;
- a variety of delivery means available;
- military forces, which maintain the capability to use these weapons with command, control and logistical arrangements in place.

NUCLEAR WEAPONS

Joint Intelligence Committee (JIC) Assessments: 1999–2001

17. Since 1999 the JIC has monitored Iraq's attempts to reconstitute its nuclear weapons programme. In mid-2001 the JIC assessed that Iraq had continued its nuclear research after 1998. The JIC drew attention to intelligence that Iraq had recalled its nuclear scientists to the programme in 1998. Since 1998 Iraq had been trying to procure items that could be for use in the construction of centrifuges for the enrichment of uranium.

Iraqi nuclear weapons expertise

18. Paragraphs 5 and 6 of Chapter 2 describe the Iraqi nuclear weapons programme prior to the Gulf War. It is clear from IAEA inspections and Iraq's own declarations that by 1991 considerable progress had been made in both developing methods to produce fissile material and in weapons design. The IAEA dismantled the physical infrastructure of the Iraqi nuclear weapons

Elements of a nuclear weapons programme: nuclear fission weapon

A typical nuclear fission weapon consists of:

- fissile material for the core which gives out huge amounts of explosive energy from nuclear reactions when made "super critical" through extreme compression. Fissile material is usually either highly enriched uranium (HEU) or weapons-grade plutonium:
  - HEU can be made in gas centrifuges (see separate box on p25);
  - plutonium is made by reprocessing fuel from a nuclear reactor;
- explosives which are needed to compress the nuclear core. These explosives also require a complex arrangement of detonators, explosive charges to produce an even and rapid compression of the core;
- sophisticated electronics to fire the explosives;
- a neutron initiator to provide initial burst of neutrons to start the nuclear reactions.

Weaponisation

Weaponisation is the conversion of these concepts into a reliable weapon. It includes:

- developing a weapon design through sophisticated science and complex calculations;
- engineering design to integrate with the delivery system;
- specialised equipment to cast and machine safely the nuclear core;
- dedicated facilities to assemble the warheads;
- facilities to rigorously test all individual components and designs;

The complexity is much greater for a weapon that can fit into a missile warhead than for a larger Nagasaki-type bomb.

programme, including the dedicated facilities and equipment for uranium separation and enrichment, and for weapon development and production, and removed the remaining highly enriched uranium. But Iraq retained, and retains, many of its experienced nuclear scientists and technicians who are specialised in the production of fissile material and weapons design. Intelligence indicates that Iraq also retains the accompanying programme documentation and data.

19. Intelligence shows that the present Iraqi programme is almost certainly seeking an indigenous ability to enrich uranium to the level needed for a nuclear weapon. It indicates that the approach is based on gas centrifuge uranium enrichment, one of the routes Iraq was following for producing fissile material before the Gulf War. But Iraq needs certain key equipment, including gas centrifuge components and components for the production of fissile material before a nuclear bomb could be developed.

Gas centrifuge uranium enrichment

Uranium in the form of uranium hexafluoride is separated into its different isotopes in rapidly spinning rotor tubes of special centrifuges. Many hundreds or thousands of centrifuges are connected in cascades to enrich uranium. If the lighter U235 isotope is enriched to more than 90% it can be used in the core of a nuclear weapon.

20. Following the departure of weapons inspectors in 1998 there has been an accumulation of intelligence indicating that Iraq is making concerted covert efforts to acquire dual-use technology and materials with nuclear applications. Iraq's known holdings of processed uranium are under IAEA supervision. But there is intelligence that Iraq has sought the supply of significant quantities of uranium from Africa. Iraq has no active civil nuclear power programme or nuclear power plants and therefore has no legitimate reason to acquire uranium.

Iraq's civil nuclear programme

- Iraq's long-standing civil nuclear power programme is limited to small scale research. Activities that could be used for military purposes are prohibited by UNSCR 687 and 715.
- Iraq has no nuclear power plants and therefore no requirement for uranium as fuel.
- Iraq has a number of nuclear research programmes in the fields of agriculture, biology, chemistry, materials and pharmaceuticals. None of these activities requires more than tiny amounts of uranium which Iraq could supply from its own resources.
- Iraq's research reactors are non-operational; two were bombed and one was never completed.

21. Intelligence shows that other important procurement activity since 1998 has included attempts to purchase:

- vacuum pumps which could be used to create and maintain pressures in a gas centrifuge cascade needed to enrich uranium;
- an entire magnet production line of the correct specification for use in the motors and top bearings of gas centrifuges. It appears that Iraq is attempting to acquire a capability to produce them on its own rather than rely on foreign procurement;
- Anhydrous Hydrogen Fluoride (AHF) and fluorine gas. AHF is commonly used in the petrochemical industry and Iraq frequently imports significant amounts, but it is also used in the process of converting uranium into uranium hexafluoride for use in gas centrifuge cascades;
- one large filament winding machine which could be used to manufacture carbon fibre gas centrifuge rotors;
- a large balancing machine which could be used in initial centrifuge balancing work.

22. Iraq has also made repeated attempts covertly to acquire a very large quantity (60,000 or more) of specialised aluminium tubes. The specialised aluminium in question is subject to international export controls because of its potential application in the construction of gas centrifuges used to enrich uranium, although there is no definitive intelligence that it is destined for a nuclear programme.

Nuclear weapons: timelines

23. In early 2002, the JIC assessed that UN sanctions on Iraq were hindering the import of crucial goods for the production of fissile material. The JIC judged

that while sanctions remain effective Iraq would not be able to produce a nuclear weapon. If they were removed or prove ineffective, it would take Iraq at least five years to produce sufficient fissile material for a weapon indigenously. However, we know that Iraq retains expertise and design data relating to nuclear weapons. We therefore judge that if Iraq obtained fissile material and other essential components from foreign sources the timeline for production of a nuclear weapon would be shortened and Iraq could produce a nuclear weapon in between one and two years.

BALLISTIC MISSILES

Joint Intelligence Committee (JIC) Assessment: 1999–2002

24. In mid-2001 the JIC drew attention to what it described as a "step-change" in progress on the Iraqi missile programme over the previous two years. It was clear from intelligence that the range of Iraqi missiles which was permitted by the UN and supposedly limited to 150kms was being extended and that work was under way on larger engines for longer-range missiles.

25. In early 2002 the JIC concluded that Iraq had begun to develop missiles with a range of over 1,000kms. The JIC assessed that if sanctions remained effective the Iraqis would not be able to produce such a missile before 2007. Sanctions and the earlier work of the inspectors had caused significant problems for Iraqi missile development. In the previous six months Iraqi foreign procurement efforts for the missile programme had been bolder. The JIC also assessed that Iraq retained up to 20 al-Hussein missiles from before the Gulf War.

The Iraqi ballistic missile programme since 1998

26. Since the Gulf War, Iraq has been openly developing two short-range missiles up to a range of 150km, which are permitted under UN Security Council Resolution 687. The al-Samoud liquid propellant missile has been extensively tested and is being deployed to military units. Intelligence indicates that at least 50 have been produced. Intelligence also indicates that Iraq has worked on extending its range to at least 200km in breach of UN Security Resolution 687. Production of the solid propellant Ababil-100 (Figure 4) is also underway, probably as an unguided rocket at this stage. There are also plans to extend its range to at least 200km. Compared to liquid propellant missiles, those powered by solid

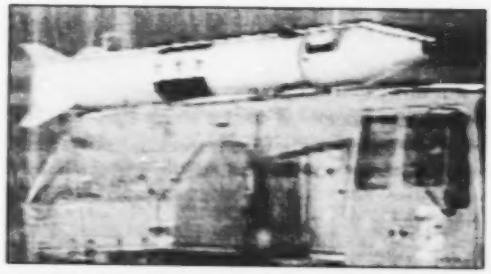


FIGURE 4: ABABIL-100

propellant offer greater ease of storage, handling and mobility. They are also quicker to take into and out of action and can stay at a high state of readiness for longer periods.

27. According to intelligence, Iraq has retained up to 20 al-Hussein missiles (Figure 5), in breach of UN Security Council Resolution 687. These missiles were either hidden from the UN as complete systems, or re-assembled using illegally retained engines and other components. We judge that the engineering expertise available would allow these missiles to be maintained effectively, although the fact that at least some require re-assembly makes it difficult to judge exactly how many could be available for use. They could be used with conventional, chemical or biological warheads and, with a range of up to 650km, are capable of reaching a number of countries in the region including Cyprus, Turkey, Saudi Arabia, Iran and Israel.

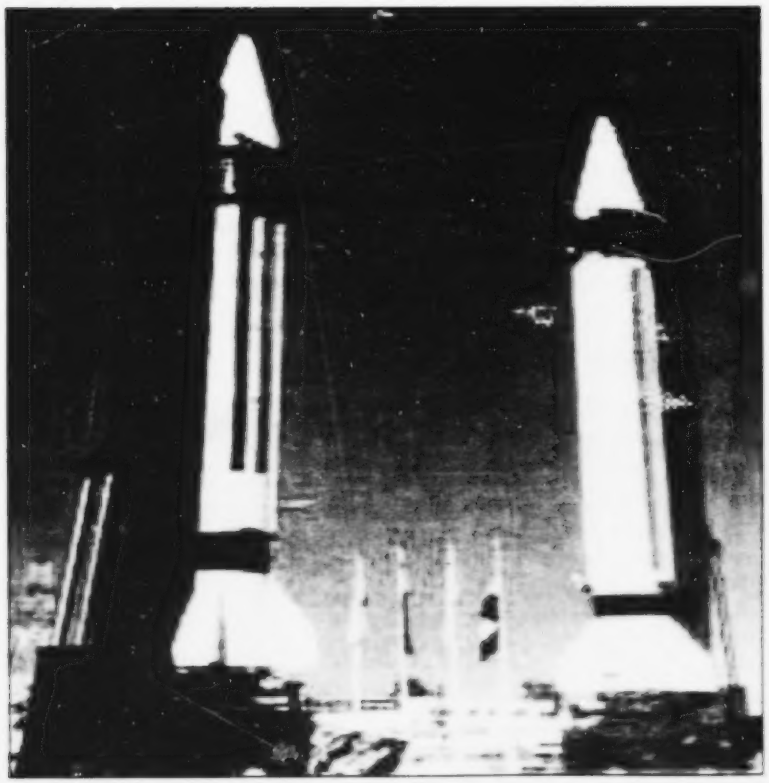


FIGURE 5: AL-HUSSEIN

28. Intelligence has confirmed that Iraq wants to extend the range of its missile systems to over 1000km, enabling it to threaten other regional neighbours. This work began in 1998, although efforts to regenerate the long-range ballistic missile programme probably began in 1995. Iraq's missile programmes employ hundreds of people. Satellite imagery (Figure 6) has shown a new engine test stand being constructed (A), which is larger than the current one used for al-Samoud (B), and that formerly used for testing SCUD engines (C) which was dismantled under UNSCOM supervision. This new stand will be capable of testing engines for medium range ballistic missiles (MRBMs) with ranges over 1000km, which are not permitted under UN Security Council Resolution 687. Such a facility would not be needed for systems that fall within the UN permitted range of 150km. The Iraqis have recently taken measures to conceal activities at this site. Iraq is also working to obtain improved guidance technology to increase missile accuracy.

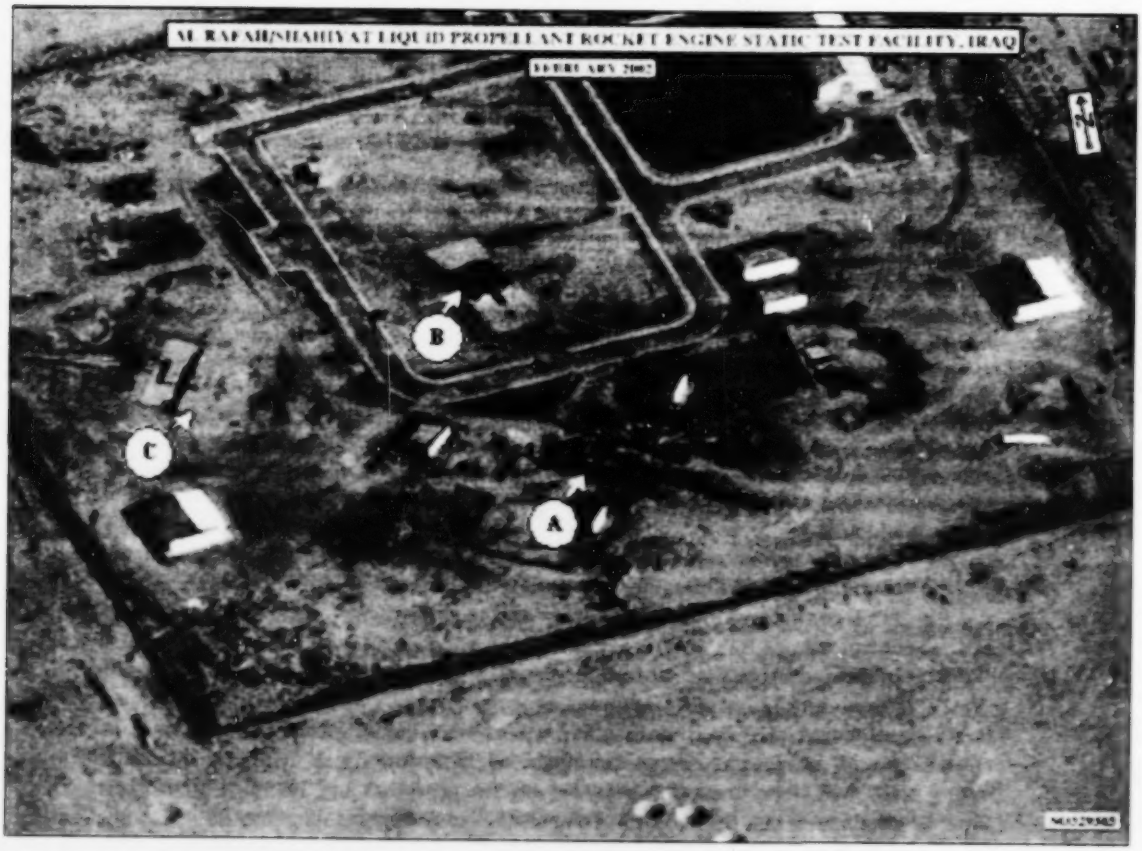


FIGURE 6: AL-RAFAH/SHAHIYAT LIQUID PROPELLANT ENGINE STATIC TEST STAND

29. The success of UN restrictions means the development of new longer-range missiles is likely to be a slow process. These restrictions impact particularly on the:

- availability of foreign expertise;
- conduct of test flights to ranges above 150km;
- acquisition of guidance and control technology.

30. Saddam remains committed to developing longer-range missiles. Even if sanctions remain effective, Iraq might achieve a missile capability of over 1000km within 5 years (Figure 7 shows the range of Iraq's various missiles).

31. Iraq has managed to rebuild much of the missile production infrastructure destroyed in the Gulf War and in Operation Desert Fox in 1998 (see Part 2). New missile-related infrastructure is also under construction. Some aspects of this, including rocket propellant mixing and casting facilities at the al-Mamoun Plant, appear to replicate those linked to the prohibited Badr-2000 programme (with a planned range of 700–1000km) which were destroyed in the Gulf War or dismantled by UNSCOM. A new plant at al-Mamoun for indigenously producing ammonium perchlorate, which is a key ingredient in the production of solid propellant rocket motors, has also been constructed. This has been provided illicitly by NEC Engineers Private Limited, an Indian chemical engineering firm with extensive links in Iraq, including to other suspect facilities such as the Fallujah 2 chlorine plant. After an extensive investigation, the Indian authorities have recently suspended its export licence, although other individuals and companies are still illicitly procuring for Iraq.

32. Despite a UN embargo, Iraq has also made concerted efforts to acquire additional production technology, including machine tools and raw materials, in breach of UN Security Council Resolution 1051. The embargo has succeeded in blocking many of these attempts, such as requests to buy magnesium powder and ammonium chloride. But we know from intelligence that some items have found their way to the Iraqi ballistic missile programme. More will inevitably continue to do so. Intelligence makes it clear that Iraqi procurement agents and front companies in third countries are seeking illicitly to acquire propellant chemicals for Iraq's ballistic missiles. This includes production level quantities of near complete sets of solid propellant rocket motor ingredients such as aluminium powder, ammonium perchlorate and hydroxyl terminated polybutadiene. There have also been attempts to acquire large quantities of liquid propellant chemicals such as Unsymmetrical Dimethylhydrazine (UDMH) and diethylenetriamene. We judge these are intended to support production and deployment of the al-Samoud and development of longer-range systems.

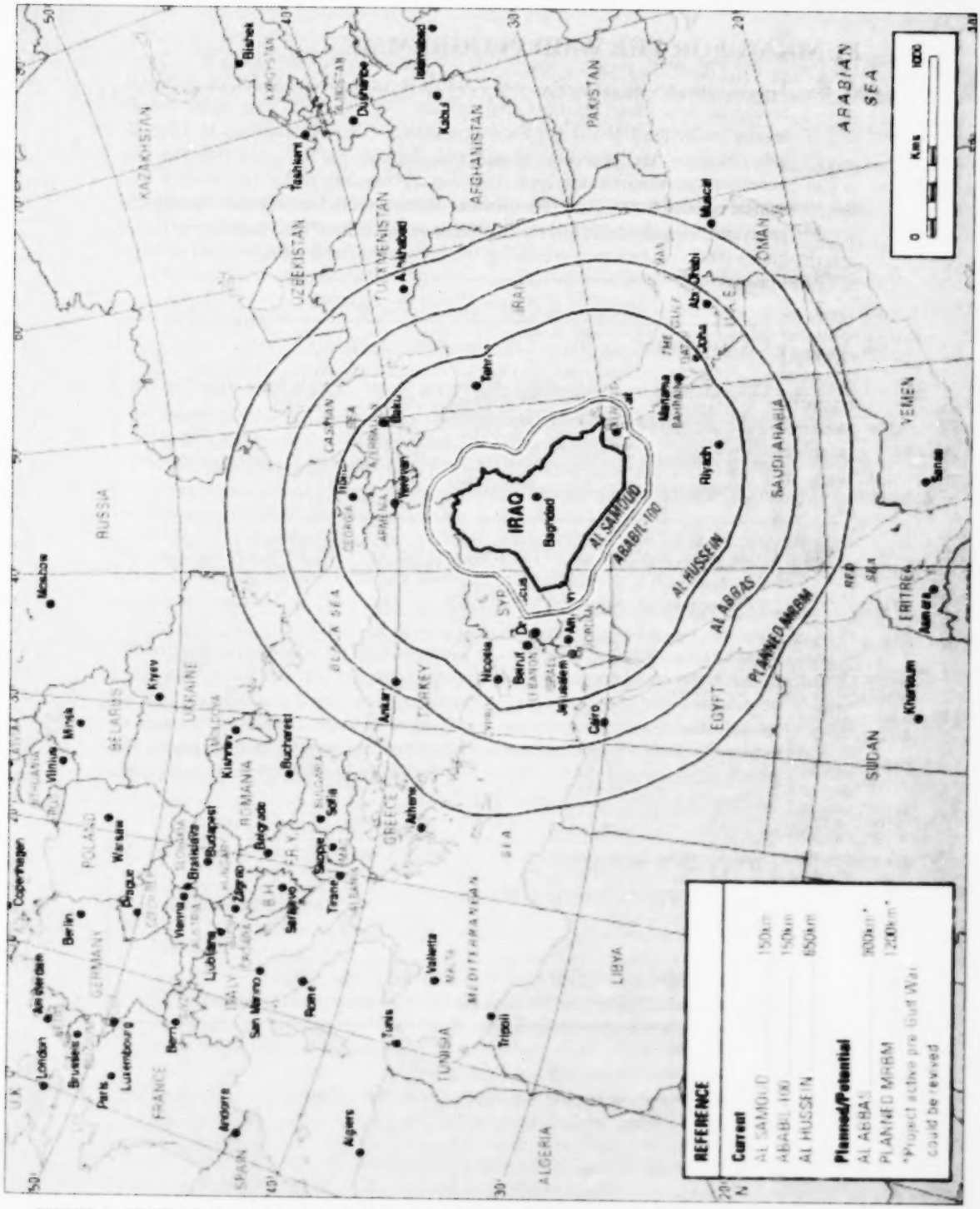


FIGURE 7: CURRENT AND PLANNED/POTENTIAL BALLISTIC MISSILES

FUNDING FOR THE WMD PROGRAMME

33. The UN has sought to restrict Iraq's ability to generate funds for its chemical, biological and other military programmes. For example, Iraq earns money legally under the UN Oil For Food Programme (OFF) established by UNSCR 986, whereby the proceeds of oil sold through the UN are used to buy humanitarian supplies for Iraq. This money remains under UN control and cannot be used for military procurement. However, the Iraqi regime continues to generate income outside UN control either in the form of hard currency or barter goods (which in turn means existing Iraqi funds are freed up to be spent on other things).

UN Sanctions

UN sanctions on Iraq prohibit all imports to and exports from Iraq. The UN must clear any goods entering or leaving. The UN also administers the Oil for Food (OFF) programme. Any imports entering Iraq under the OFF programme are checked against the Goods Review List for potential military or weapons of mass destruction utility.

34. These illicit earnings go to the Iraqi regime. They are used for building new palaces, as well as purchasing luxury goods and other civilian goods outside the OFF programme. Some of these funds are also used by Saddam Hussein to maintain his armed forces, and to develop or acquire military equipment, including for chemical, biological, nuclear and ballistic missile programmes. We do not know what proportion of these funds is used in this way. But we have seen no evidence that Iraqi attempts to develop its weapons of mass destruction and its ballistic missile programme, for example through covert procurement of equipment from abroad, has been inhibited in any way by lack of funds. The steady increase over the last three years in the availability of funds will enable Saddam to progress the programmes faster.

Iraq's illicit earnings

Year	Amount in $billions
1999	0.8 to 1
2000	1.5 to 2
2001	3
2002	3 (estimate)

PART 2

HISTORY OF UN WEAPONS INSPECTIONS

1. During the 1990s, beginning in April 1991 immediately after the end of the Gulf War, the UN Security Council passed a series of resolutions [see box] establishing the authority of UNSCOM and the IAEA to carry out the work of dismantling Iraq's arsenal of chemical, biological and nuclear weapons programmes and long-range ballistic missiles.

UN Security Council Resolutions relating to Weapons of Mass Destruction

UNSCR 687, April 1991 created the UN Special Commission (UNSCOM) and required Iraq to accept, unconditionally, "the destruction, removal or rendering harmless, under international supervision" of its chemical and biological weapons, ballistic missiles with a range greater than 150km, and their associated programmes, stocks, components, research and facilities. The International Atomic Energy Agency (IAEA) was charged with abolition of Iraq's nuclear weapons programme. UNSCOM and the IAEA must report that their mission has been achieved before the Security Council can end sanctions. They have not yet done so.

UNSCR 707, August 1991, stated that Iraq must provide full, final and complete disclosure of all its programmes for weapons of mass destruction and provide unconditional and unrestricted access to UN inspectors. For over a decade Iraq has been in breach of this resolution. Iraq must also cease all nuclear activities of any kind other than civil use of isotopes.

UNSCR 715, October 1991 approved plans prepared by UNSCOM and IAEA for the ongoing monitoring and verification (OMV) arrangements to implement UNSCR 687. Iraq did not accede to this until November 1993. OMV was conducted from April 1995 to 15 December 1998, when the UN left Iraq.

UNSCR 1051, March 1996 stated that Iraq must declare the shipment of dual-use goods which could be used for mass destruction weaponry programmes.

These resolutions were passed under Chapter VII of the UN Charter which is the instrument that allows the UN Security Council to authorise the use of military force to enforce its resolutions.

2. As outlined in UNSCR 687, Iraq's chemical, biological and nuclear weapons programmes were also a breach of Iraq's commitments under:

- The 1925 Geneva Protocol which bans the use of chemical and biological weapons;

- the Biological and Toxin Weapons Convention which bans the development, production, stockpiling, acquisition or retention of biological weapons;
- the Nuclear Non-Proliferation Treaty which prohibits Iraq from manufacturing or otherwise acquiring nuclear weapons.

3. UNSCR 687 obliged Iraq to provide declarations on all aspects of its weapons of mass destruction programmes within 15 days and accept the destruction, removal or rendering harmless under international supervision of its chemical, biological and nuclear programmes, and all ballistic missiles with a range beyond 150km. Iraq did not make a satisfactory declaration within the specified time-frame.

Iraq accepted the UNSCRs and agreed to co-operate with UNSCOM. The history of the UN weapons inspections was characterised by persistent Iraqi obstruction.

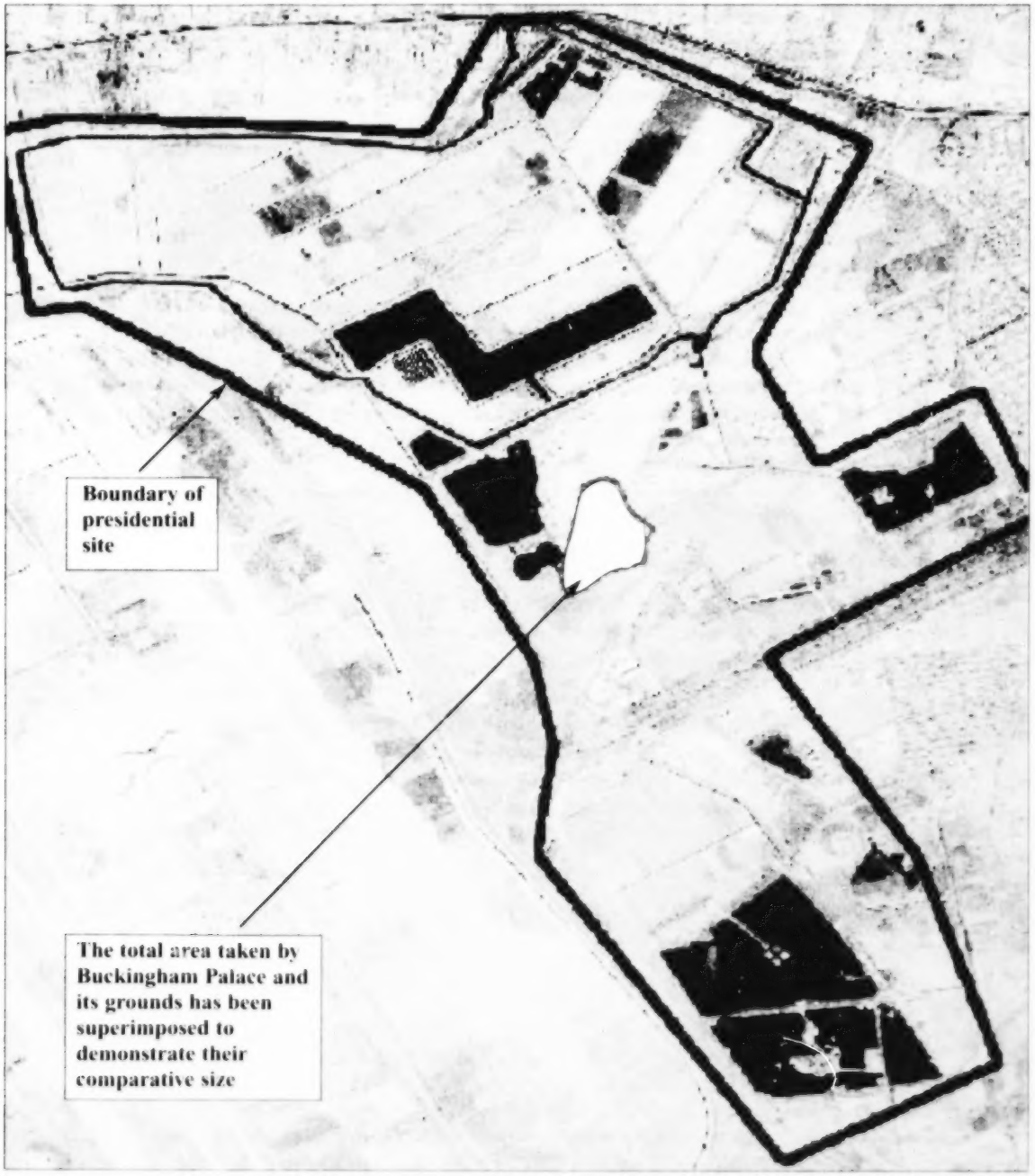
> UNSCOM and the IAEA were given the remit to designate any locations for inspection at any time, review any document and interview any scientist, technician or other individual and seize any prohibited items for destruction.

Iraqi Non-Co-operation with the Inspectors

4. The former Chairman of UNSCOM, Richard Butler, reported to the UN Security Council in January 1999 that in 1991 a decision was taken by a high-level Iraqi Government committee to provide inspectors with only a portion of its proscribed weapons, components, production capabilities and stocks. UNSCOM concluded that Iraqi policy was based on the following actions:
   - to provide only a portion of extant weapons stocks, releasing for destruction only those that were least modern;
   - to retain the production capability and documentation necessary to revive programmes when possible;
   - to conceal the full extent of its chemical weapons programme, including the VX nerve agent project; to conceal the number and type of chemical and biological warheads for proscribed long-range missiles;
   - and to conceal the existence of its biological weapons programme.

5. In December 1997 Richard Butler reported to the UN Security Council that Iraq had created a new category of sites, "Presidential" and "sovereign", from which it claimed that UNSCOM inspectors would henceforth be barred. The terms of the ceasefire in 1991 foresaw no such limitation. However, Iraq consistently refused to allow UNSCOM inspectors access to any of these eight Presidential sites. Many of these so-called "palaces" are in fact large compounds which are an integral part of Iraqi counter-measures designed to hide weapons material (see photograph on p35).

A photograph of a "presidential site" or what have been called "palaces".


Boundary of presidential site
The total area taken by Buckingham Palace and its grounds has been superimposed to demonstrate their comparative size

Iraq's policy of deception

Iraq has admitted to UNSCOM to having a large, effective, system for hiding proscribed material including documentation, components, production equipment and possibly biological and chemical agents and weapons from the UN. Shortly after the adoption of UNSCR 687 in April 1991, an Administrative Security Committee (ASC) was formed with responsibility for advising Saddam on the information which could be released to UNSCOM and the IAEA. The Committee consisted of senior Military Industrial Commission (MIC) scientists from all of Iraq's weapons of mass destruction programmes. The Higher Security Committee (HSC) of the Presidential Office was in overall command of deception operations. The system was directed from the very highest political levels within the Presidential Office and involved, if not Saddam himself, his youngest son, Qusai. The system for hiding proscribed material relies on high mobility and good command and control. It uses lorries to move items at short notice and most hide sites appear to be located close to good road links and telecommunications. The Baghdad area was particularly favoured. In addition to active measures to hide material from the UN, Iraq has attempted to monitor, delay and collect intelligence on UN operations to aid its overall deception plan.

Intimidation

6. Once inspectors had arrived in Iraq, it quickly became apparent that the Iraqis would resort to a range of measures (including physical threats and psychological intimidation of inspectors) to prevent UNSCOM and the IAEA from fulfilling their mandate.

7. In response to such incidents, the President of the Security Council issued frequent statements calling on Iraq to comply with its disarmament and monitoring obligations.

Iraqi obstruction of UN weapons inspection teams

- firing warning shots in the air to prevent IAEA inspectors from intercepting nuclear related equipment (June 1991);
- keeping IAEA inspectors in a car park for 4 days and refusing to allow them to leave with incriminating documents on Iraq's nuclear weapons programme (September 1991);
- announcing that UN monitoring and verification plans were "unlawful" (October 1991);
- refusing UNSCOM inspectors access to the Iraqi Ministry of Agriculture. Threats were made to inspectors who remained on watch outside the building. The inspection team had reliable evidence that the site contained archives related to proscribed activities;
- in 1991–2 Iraq objected to UNSCOM using its own helicopters and choosing its own flight plans. In January 1993 it refused to allow UNSCOM the use of its own aircraft to fly into Iraq;
- refusing to allow UNSCOM to install remote-controlled monitoring cameras at two key missile sites (June-July 1993);
- repeatedly denying access to inspection teams (1991- December 1998);
- interfering with UNSCOM's helicopter operations, threatening the safety of the aircraft and their crews (June 1997);
- demanding the end of U2 overflights and the withdrawal of US UNSCOM staff (October 1997);
- destroying documentary evidence of programmes for weapons of mass destruction (September 1997).

Obstruction

8. Iraq denied that it had pursued a biological weapons programme until July 1995. In July 1995, Iraq acknowledged that biological agents had been produced on an industrial scale at al-Hakam. Following the defection in August 1995 of Hussein Kamil, Saddam's son-in-law and former Director of the Military Industrialisation Commission, Iraq released over 2 million documents relating to its mass destruction weaponry programmes and acknowledged that it had

pursued a biological programme that led to the deployment of actual weapons. Iraq admitted producing 183 biological weapons with a reserve of agent to fill considerably more.

Inspection of Iraq's biological weapons programme

In the course of the first biological weapons inspection in August 1991, Iraq claimed that it had merely conducted a military biological research programme. At the site visited, al-Salman, Iraq had removed equipment, documents and even entire buildings. Later in the year, during a visit to the al-Hakam site, Iraq declared to UNSCOM inspectors that the facility was used as a factory to produce proteins derived from yeast to feed animals. Inspectors subsequently discovered that the plant was a central site for the production of anthrax spores and botulinum toxin for weapons. The factory had also been sanitised by Iraqi officials to deceive inspectors. Iraq continued to develop the al-Hakam site into the 1990s, misleading UNSCOM about its true purpose.

Another key site, the Foot and Mouth Disease Vaccine Institute at al-Dawrah which produced botulinum toxin and probably anthrax was not divulged as part of the programme. Five years later, after intense pressure, Iraq acknowledged that tens of tonnes of bacteriological warfare agent had been produced there and at al-Hakam.

As documents recovered in August 1995 were assessed, it became apparent that the full disclosure required by the UN was far from complete. Successive inspection teams went to Iraq to try to gain greater understanding of the programme and to obtain credible supporting evidence. In July 1996 Iraq refused to discuss its past programme and doctrine forcing the team to withdraw in protest. Monitoring teams were at the same time finding undisclosed equipment and materials associated with the past programme. In response, Iraq grudgingly provided successive disclosures of its programme which were judged by UNSCOM and specially convened international panels to be technically inadequate.

In late 1995 Iraq acknowledged weapons testing the biological agent ricin, but did not provide production information. Two years later, in early 1997, UNSCOM discovered evidence that Iraq had produced ricin.

9. Iraq tried to obstruct UNSCOM's efforts to investigate the scale of its biological weapons programme. It created forged documents to account for bacterial growth media, imported in the late 1980s, specifically for the production of anthrax, botulinum toxin and probably plague. The documents were created to indicate that the material had been imported by the State Company for Drugs and Medical Appliances Marketing for use in hospitals and distribution to local authorities. Iraq also censored documents and scientific papers provided to the first UN inspection team, removing all references to key individuals, weapons and industrial production of agents.

10. Iraq has yet to provide any documents concerning production of agent and subsequent weaponisation. Iraq destroyed, unilaterally and illegally, some biological weapons in 1991 and 1992 making accounting for these weapons impossible. In addition, Iraq cleansed a key site at al-Muthanna, its main research and development, production and weaponisation facility for chemical warfare agents, of all evidence of a biological programme in the toxicology department, the animal-house and weapons filling station.

11. Iraq refused to elaborate further on the programme during inspections in 1997 and 1998, confining discussion to previous topics. In July 1998 Tariq Aziz personally intervened in the inspection process stating that the biological programme was more secret and more closed than other mass destruction weaponry programmes. He also played down the significance of the programme. Iraq has presented the biological weapons programme as the personal undertaking of a few misguided scientists.

12. At the same time, Iraq tried to maintain its nuclear weapons programme via a concerted campaign to deceive IAEA inspectors. In 1997 the IAEA Director General stated that the IAEA was "severely hampered by Iraq's persistence in a policy of concealment and understatement of the programme's scope".

Inspection achievements

13. Despite the conduct of the Iraqi authorities towards them, both UNSCOM and the IAEA Action Team have valuable records of achievement in discovering and exposing Iraq's biological weapons programme and destroying very large quantities of chemical weapons stocks and missiles as well as the infrastructure for Iraq's nuclear weapons programme.

14. Despite UNSCOM's efforts, following the effective ejection of UN inspectors in December 1998 there remained a series of significant unresolved disarmament issues. In summarising the situation in a report to the UN Security Council, the UNSCOM Chairman, Richard Butler, indicated that:

    - contrary to the requirement that destruction be conducted under international supervision "Iraq undertook extensive, unilateral and secret destruction of large quantities of proscribed weapons and items";
    - and Iraq "also pursued a practice of concealment of proscribed items, including weapons, and a cover up of its activities in contravention of Council resolutions".

    Overall, Richard Butler declared that obstructive Iraqi activity had had "a significant impact upon the Commission's disarmament work".

UNSCOM and IAEA achievements

UNSCOM surveyed 1015 sites in Iraq, carrying out 272 separate inspections. Despite Iraqi obstruction and intimidation, UN inspectors uncovered details of chemical, biological, nuclear and ballistic missile programmes. Major UNSCOM/IAEA achievements included:

- the destruction of 40,000 munitions for chemical weapons, 2,610 tonnes of chemical precursors and 411 tonnes of chemical warfare agent;
- the dismantling of Iraq's prime chemical weapons development and production complex at al-Muthanna and a range of key production equipment;
- the destruction of 48 SCUD-type missiles, 11 mobile launchers and 56 sites, 30 warheads filled with chemical agents, and 20 conventional warheads;
- the destruction of the al-Hakam biological weapons facility and a range of production equipment, seed stocks and growth media for biological weapons;
- the discovery in 1991 of samples of indigenously-produced highly enriched uranium, forcing Iraq's acknowledgement of uranium enrichment programmes and attempts to preserve key components of its prohibited nuclear weapons programme;
- the removal and destruction of the infrastructure for the nuclear weapons programme, including the al-Athir weaponisation/testing facility.

Withdrawal of the inspectors

15. By the end of 1998 UNSCOM was in direct confrontation with the Iraqi Government which was refusing to co-operate. The US and the UK had made clear that anything short of full co-operation would make military action unavoidable. Richard Butler was requested to report to the UN Security Council in December 1998 and stated that, following a series of direct confrontations, coupled with the systematic refusal by Iraq to co-operate, UNSCOM was no longer able to perform its disarmament mandate. As a direct result on 16 December the weapons inspectors were withdrawn. Operation Desert Fox was launched by the US and the UK a few hours afterwards.

Operation Desert Fox (16–19 December 1998)

Operation Desert Fox targeted industrial facilities related to Iraq's ballistic missile programme and a suspect biological warfare facility as well as military airfields and sites used by Iraq's security organisations which are involved in its weapons of mass destruction programmes. Key facilities associated with Saddam Hussein's ballistic missile programme were significantly degraded.

The situation since 1998

16. There have been no UN-mandated weapons inspections in Iraq since 1998. In an effort to enforce Iraqi compliance with its disarmament and monitoring obligations, the UN Security Council passed Resolution 1284 in December 1999. This established the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) as a successor organisation to UNSCOM and called on Iraq to give UNMOVIC inspectors "immediate, unconditional and unrestricted access to any and all areas, facilities, equipment, records and means of transport". It also set out the steps Iraq needed to take in return for the eventual suspension and lifting of sanctions. A key measure of Iraqi compliance would be full co-operation with UN inspectors, including unconditional, immediate and unrestricted access to any and all sites, personnel and documents.

17. For the past three years, Iraq has allowed the IAEA to carry out an annual inspection of a stockpile of nuclear material (depleted natural and low-enriched uranium). This has led some countries and western commentators to conclude erroneously that Iraq is meeting its nuclear disarmament and monitoring obligations. As the IAEA has pointed out in recent weeks, this annual inspection does "not serve as a substitute for the verification activities required by the relevant resolutions of the UN Security Council".

18. Dr Hans Blix, the Executive Chairman of UNMOVIC, and Dr Mohammed El-Baradei, the Director General of the IAEA, have declared that in the absence of inspections it is impossible to verify Iraqi compliance with its UN disarmament and monitoring obligations. In April 1999 an independent UN panel of experts noted that "the longer inspection and .nonitoring activities remain suspended, the more difficult the comprehensive implementation of Security Council resolutions becomes, increasing the risk that Iraq might reconstitute its proscribed weapons programmes".

19. The departure of the inspectors greatly diminished the ability of the international community to monitor and assess Iraq's continuing attempts to reconstitute its chemical, biological, nuclear and ballistic missile programmes.

PART 3

IRAQ UNDER SADDAM HUSSEIN

Introduction

1. The Republic of Iraq is bounded by Turkey, Iran, Kuwait, Saudia Arabia, Jordan, Syria and the Persian Gulf. Its population of around 23 million is ethnically and religiously diverse. Approximately 77% are Arabs. Sunni Muslims form around 17% of the Arab population and dominate the government. About 60% of Iraqis are Shias and 20% are Kurds. The remaining 3% of the population consists of Assyrians, Turkomans, Armenians, Christians and Yazidis.

Saddam Hussein's rise to power

Saddam Hussein was born in 1937 in the Tikrit district, north of Baghdad. In 1957 he joined the Ba'ath Party. After taking part in a failed attempt to assassinate the Iraqi President, Abdul Karim Qasim, Saddam escaped, first to Syria and then to Egypt. In his absence he was sentenced to 15 years imprisonment.

Saddam returned to Baghdad in 1963 when the Ba'ath Party came to power. He went into hiding after the Ba'ath fell from power later that year. He was captured and imprisoned, but in 1967 escaped and took over responsibility for Ba'ath security. Saddam set about imposing his will on the Party and establishing himself at the centre of power.

The Ba'ath Party returned to power in 1968. In 1969 Saddam became Vice-Chairman of the Revolutionary Command Council, Deputy to the President, and Deputy Secretary General of the Regional Command of the Ba'ath. In 1970 he joined the Party's National Command and in 1977 was elected Assistant Secretary General. In July 1979, he took over the Presidency of Iraq. Within days, five fellow members of the Revolutionary Command Council were accused of involvement in a coup attempt. They and 17 others were summarily executed.

2. Public life in Iraq is nominally dominated by the Ba'ath Party (see box on p44). But all real authority rests with Saddam and his immediate circle. Saddam's family, tribe and a small number of associates remain his most loyal supporters. He uses them to convey his orders, including to members of the government.

3. Saddam uses patronage and violence to motivate his supporters and to control or eliminate opposition. Potential rewards include social status, money and better access to goods. Saddam's extensive security apparatus and Ba'ath Party network provides oversight of Iraqi society, with informants in social, government and military organisations. Saddam practises torture, execution and

other forms of coercion against his enemies, real or suspected. His targets are not only those who have offended him, but also their families, friends or colleagues.

The Iraqi Ba'ath Party

The Ba'ath Party is the only legal political party in Iraq. It pervades all aspects of Iraqi life. Membership, around 700,000, is necessary for self-advancement and confers benefits from the regime.

4. Saddam acts to ensure that there are no other centres of power in Iraq. He has crushed parties and ethnic groups, such as the communists and the Kurds, which might try to assert themselves. Members of the opposition abroad have been the targets of assassination attempts conducted by Iraqi security services.

Saddam Hussein's security apparatus

Saddam relies on a long list of security organisations with overlapping responsibilities. The main ones are:

- The **Special Security Organisation** oversees Saddam's security and monitors the loyalty of other security services. Its recruits are predominantly from Tikrit.
- The **Special Republican Guard** is equipped with the best available military equipment. Its members are selected on the basis of loyalty to the regime.
- The **Directorate of General Security** is primarily responsible for countering threats from the civilian population.
- The **Directorate of General Intelligence** monitors and suppresses dissident activities at home and abroad.
- The **Directorate of Military Intelligence's** role includes the investigation of military personnel.
- The **Saddam Fidayeen**, under the control of Saddam's son Udayy, has been used to deal with civil disturbances.

5. Army officers are an important part of the Iraqi government's network of informers. Suspicion that officers have ambitions other than the service of the President leads to immediate execution. It is routine for Saddam to take pre-emptive action against those who he believes might conspire against him.

Internal Repression – the Kurds and the Shias

6. Saddam has pursued a long-term programme of persecution of the Iraqi Kurds, including through the use of chemical weapons. During the Iran-Iraq war, Saddam appointed his cousin, Ali Hasan al-Majid, as his deputy in the north. In

1987-88, al-Majid led the "Anfal" campaign of attacks on Kurdish villages. Amnesty International estimates that more than 100,000 Kurds were killed or disappeared during this period.

Repression and control: some examples

- A campaign of mass arrests and killing of Shia activists led to the execution of the Ayatollah Baqir al-Sadr and his sister in April 1980.
- In 1983 80 members of another leading Shia family were arrested. Six of them, all religious leaders, were executed.
- A massive chemical weapons attack on Kurds in Halabja town in March 1988 killing 5000 and injuring 10,000 more.
- A large number of officers from the Jabbur tribe were executed in the early 1990s for the alleged disloyalty of a few of them.

7. After the Gulf War in 1991 Kurds in the north of Iraq rose up against Baghdad's rule. In response the Iraqi regime killed or imprisoned thousands, prompting a humanitarian crisis. Over a million Kurds fled into the mountains and tried to escape Iraq.

8. Persecution of Iraq's Kurds continues, although the protection provided by the northern No-Fly Zone has helped to curb the worst excesses. But outside this zone the Baghdad regime has continued a policy of persecution and intimidation.

9. The regime has used chemical weapons against the Kurds, most notably in an attack on the town of Halabja in 1988 (see Part 1 Chapter 2 paragraph 9). The implicit threat of the use of chemical weapons against the Kurds and others is an important part of Saddam's attempt to keep the civilian population under control.

10. The regime has tried to displace the traditional Kurdish and Turkoman populations of the areas under its control, primarily in order to weaken Kurdish claims to the oil-rich area around the northern city of Kirkuk. Kurds and other non-Arabs are forcibly ejected to the three northern Iraqi governorates, Dohuk, Arbil and Sulaimaniyah, which are under de facto Kurdish control. According to the United Nations Commission on Human Rights (UNCHR) Special Rapporteur for Iraq, 94,000 individuals have been expelled since 1991. Agricultural land owned by Kurds has been confiscated and redistributed to Iraqi Arabs. Arabs from southern Iraq have been offered incentives to move into the Kirkuk area.

11. After the 1979 revolution that ousted the Shah in Iran, Saddam intensified a campaign against the Shia Muslim majority of Iraq, fearing that they might be encouraged by the new Shia regime in Iran.

12. On 1 March 1991, in the wake of the Gulf War, riots broke out in the southern city of Basra, spreading quickly to other cities in Shia-dominated southern Iraq.

The regime responded by killing thousands. Many Shia tried to escape to Iran and Saudi Arabia.

13. Some of the Shia hostile to the regime sought refuge in the marshland of southern Iraq. In order to subjugate the area, Saddam embarked on a large-scale programme to drain the marshes to allow Iraqi ground forces to eliminate all opposition there. The rural population of the area fled or were forced to move to southern cities or across the border into Iran.

Saddam Hussein's Wars

14. As well as ensuring his absolute control inside Iraq, Saddam has tried to make Iraq the dominant power of the region. In pursuit of these objectives he has led Iraq into two wars of aggression against neighbours, the Iran-Iraq war and the invasion of Kuwait.

15. With the fall of the Shah in Iran in 1979, relations between Iran and Iraq deteriorated sharply. In September 1980 Saddam renounced a border treaty he had agreed with Iran in 1975 ceding half of the Shatt al-Arab waterway to Iran. Shortly thereafter, Saddam launched a large-scale invasion of Iran. He believed that he could take advantage of the state of weakness, isolation and disorganisation he perceived in post-revolutionary Iran. He aimed to seize territory, including that ceded to Iran a few years earlier, and to assert Iraq's position as a leader of the Arab world. Saddam expected it to be a short, sharp campaign. But the conflict lasted for eight years. Iraq fired over 500 ballistic missiles at Iranian targets, including major cities.

Opposition to Saddam during the Iran-Iraq war

During the war Saddam's security apparatus ensured that any internal dissent or opposition was quickly eliminated. In 1982 he quickly purged a group within Iraq's ruling clique which had suggested that the war might be brought to an end more quickly if Saddam stood down.

16. It is estimated that the Iran-Iraq war cost the two sides a million casualties. Iraq used chemical weapons extensively from 1984. Some twenty thousand Iranians were killed by mustard gas and the nerve agents tabun and sarin, all of which Iraq still possesses. The UN Security Council considered the report prepared by a team of three specialists appointed by the UN Secretary General in March 1986, following which the President made a statement condemning Iraqi use of chemical weapons. This marked the first time a country had been named for violating the 1925 Geneva Convention banning the use of chemical weapons.

17. The cost of the war ran into hundreds of billions of dollars for both sides. Iraq gained nothing. After the war ended, Saddam resumed his previous pursuit of primacy in the Gulf. His policies involved spending huge sums of money on new

military equipment. But Iraq was burdened by debt incurred during the war and the price of oil, Iraq's only major export, was low.

18. By 1990 Iraq's financial problems were severe. Saddam looked at ways to press the oil-producing states of the Gulf to force up the price of crude oil by limiting production and waive the $40 billion that they had loaned Iraq during its war with Iran. Kuwait had made some concessions over production ceilings. But Saddam blamed Kuwait for over-production. When his threats and blandishments failed, Iraq invaded Kuwait on 2 August 1990. He believed that occupying Kuwait could prove profitable.

Abuses by Iraqi forces in Kuwait

- Robbery and rape of Kuwaitis and expatriates.
- Summary executions.
- People dragged from their homes and held in improvised detention centres.
- Amnesty International has listed 38 methods of torture used by the Iraqi occupiers. These included beatings, breaking of limbs, extracting finger and toenails, inserting bottle necks into the rectum, and subjecting detainees to mock executions.
- Kuwaiti civilians arrested for "crimes" such as wearing beards.

19. Saddam also sought to justify the conquest of Kuwait on other grounds. Like other Iraqi leaders before him, he claimed that, as Kuwait's rulers had come under the jurisdiction of the governors of Basra in the time of the Ottoman Empire, Kuwait should belong to Iraq.

20. During its occupation of Kuwait, Iraq denied access to the Red Cross, which has a mandate to provide protection and assistance to civilians affected by international armed conflict. The death penalty was imposed for relatively minor "crimes" such as looting and hoarding food.

21. In an attempt to deter military action to expel it from Kuwait, the Iraqi regime took hostage several hundred foreign nationals (including children) in Iraq and Kuwait and prevented thousands more from leaving, in direct contravention of international humanitarian law. Hostages were held as human shields at a number of strategic military and civilian sites.

22. At the end of the Gulf War, the Iraqi army fleeing Kuwait set fire to over 1,160 Kuwaiti oil wells with serious environmental consequences.

23. More than 600 Kuwaiti and other prisoners of war and missing persons are still unaccounted for. Iraq refuses to comply with its UN obligation to account for the missing. It has provided sufficient information to close only three case-files.

Abuse of human rights

24. This section draws on reports of human rights abuses from authoritative international organisations, including Amnesty International and Human Rights Watch.

25. Human rights abuses continue within Iraq. People continue to be arrested and detained on suspicion of political or religious activities or often because they are related to members of the opposition. Executions are carried out without due process of law. Relatives are often prevented from burying the victims in accordance with Islamic practice. Thousands of prisoners have been executed.

Human rights: abuses under Saddam Hussein

- 4000 prisoners were executed at Abu Ghraib Prison in 1984.
- 3000 prisoners were executed at the Mahjar Prison between 1993 and 1998.
- About 2500 prisoners were executed between 1997 and 1999 in a "prison cleansing" campaign.
- 122 male prisoners were executed at Abu Ghraib prison in February/ March 2000. A further 23 political prisoners were executed there in October 2001.
- In October 2000 dozens of women accused of prostitution were beheaded without any judicial process. Some were accused for political reasons.
- Women prisoners at Mahjar are routinely raped by their guards.
- Methods of torture used in Iraqi jails include using electric drills to mutilate hands, pulling out fingernails, knife cuts, sexual attacks and 'official rape'.
- Prisoners at the Qurtiyya Prison in Baghdad and elsewhere are kept in metal boxes the size of tea chests. If they do not confess they are left to die.

26. Saddam has issued a series of decrees establishing severe penalties for criminal offences. These include amputation, branding, cutting off ears, and other forms of mutilation. Anyone found guilty of slandering the President has their tongue removed.

Human Rights – mistreatment in Abu Ghraib Prison

Abdallah, a member of the Ba'ath Party whose loyalty became suspect was imprisoned for four years at Abu Ghraib in the 1980s. On the second day of his imprisonment, the men were forced to walk between two rows of five guards each to receive their containers of food. While walking to get the food, they were beaten by the guards with plastic telephone cables. They had to return to their cells the same way, so that a walk to get breakfast resulted in twenty lashes. According to Abdallah, "It wasn't that bad going to get the food, but coming back the food was spilled when we were beaten." The same procedure was used when the men went to the bathroom. On the third day, the torture continued. "We were removed from our cells and beaten with plastic pipes. This surprised us, because we were asked no question. Possibly it was being done to break our morale", Abdallah speculated. The torture escalated to sixteen sessions daily. The treatment was organised and systematic. Abdallah was held alone in a 3x2-meter room that opened onto a corridor. "We were allowed to go to the toilet three times a day, then they reduced the toilet to once a day for only one minute. I went for four years without a shower or a wash", Abdallah said. He also learned to cope with the deprivation and the hunger that accompanied his detention: "I taught myself to drink a minimum amount of water because there was no placed to urinate. They used wooden sticks to beat us and sometimes the sticks would break. I found a piece of a stick, covered with blood, and managed to bring it back to my room. I ate it for three days. A person who is hungry can eat anything. Pieces of our bodies started falling off from the beatings and our skin was so dry that it began to fall off. I ate pieces of my own body. "No one, not Pushkin, not Mahfouz, can describe what happened to us. It is impossible to describe what living this day to day was like. I was totally naked the entire time. Half of the original groups [of about thirty men] died. It was a slow type of continuous physical and psychological torture. Sometimes, it seemed that orders came to kill one of us, and he would be beaten to death". *(Source: Human Rights Watch)*

Saddam Hussein's family

27. Saddam's son Udayy maintained a private torture chamber known as the Red Room in a building on the banks of the Tigris disguised as an electricity installation. He created a militia in 1994 which has used swords to execute victims outside their own homes. He has personally executed dissidents, for instance in the Shia uprising at Basra which followed the Gulf War.

28. Members of Saddam's family are also subject to persecution. A cousin of Saddam, Ala Abd al-Qadir al-Majid, fled to Jordan from Iraq citing disagreements with the regime over business matters. He returned to Iraq after the Iraqi Ambassador in Jordan declared publicly that his life was not in danger. He was met at the border by Tahir Habbush, Head of the Directorate of General Intelligence (the Mukhabarat), and taken to a farm owned by Ali Hasan al-Majid. At the farm Ala was tied to a tree and executed by members of his immediate family who, following orders from Saddam, took it in turns to shoot him

29. Some 40 of Saddam's relatives, including women and children, have been killed. His sons-in-law Hussein and Saddam Kamil had defected in 1995 and returned to Iraq from Jordan after the Iraqi government had announced amnesties for them. They were executed in February 1996.

Human Rights –individual testimony

In December 1996, a Kurdish businessman from Baghdad was arrested outside his house by plainclothes security men. Initially his family did not know his whereabouts and went from one police station to another inquiring about him. Then they found out that he was being held in the headquarters of the General Security Directorate in Baghdad. The family was not allowed to visit him. Eleven months later the family was told by the authorities that he had been executed and that they should go and collect his body. His body bore evident signs of torture. His eyes were gouged out and the empty eye sockets filled with paper. His right wrist and left leg were broken. The family was not given any reason for his arrest and subsequent execution. However, they suspected that he was executed because of his friendship with a retired army general who had links with the Iraqi opposition outside the country and who was arrested just before his arrest and also executed. *(Source: Amnesty International)*

Human Rights – individual testimony

"…I saw a friend of mine, al-Shaikh Nasser Taresh al-Sa'idi, naked. He was handcuffed and a piece of wood was placed between his elbows and his knees. Two ends of the wood were placed on two high chairs and al-Shaikh Nasser was being suspended like a chicken. This method of torture is known as al-Khaygania (a reference to a former security director known as al-Khaygani). An electric wire was attached to al-Shaikh Nasser's penis and another one attached to one of his toes. He was asked if he could identify me and he said "this is al-Shaikh Yahya". They took me to another room and then after about 10 minutes they stripped me of my clothes and a security officer said "the person you saw has confessed against you". He said to me "You followers of [Ayatollah] al-Sadr have carried out acts harmful to the security of the country and have been distributing anti-government statements coming from abroad". He asked if I have any contact with an Iraqi religious scholar based in Iran who has been signing these statements. I said "I do not have any contacts with him"… I was then left suspended in the same manner as al-Shaikh al-Sa'idi. My face was looking upward. They attached an electric wire on my penis and the other end of the wire is attached to an electric motor. One security man was hitting my feet with a cable. Electric shocks were applied every few minutes and were increased. I must have been suspended for more than an hour. I lost consciousness. They took me to another room and made me walk even though my feet were swollen from beating… They repeated this method a few times." *(Source: Amnesty International, testimony from an Iraqi theology student from Saddam City)*

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